

**ENVIRONMENT, LAND ACQUISITION & PLANNING COMMITTEE  
of the  
Suffolk County Legislature**

**Minutes**

A regular meeting of the Environment, Land Acquisition & Planning Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Auditorium at the William Rogers Legislative Building, Veterans Memorial Highway, Smithtown, New York on **March 26, 2001** at 3:00 P.M.

**MEMBERS PRESENT:**

Legislator David Bishop, Chairman  
Legislator Michael Caracciolo, Vice Chair  
Legislator Ginny Fields  
Legislator George Guldi  
Legislator Allan Binder  
Legislator Vivian Fisher

**ALSO IN ATTENDANCE:**

Paul Sabatino, Legislative Counsel  
Jeanine Dillon, Aide to Legislator David Bishop  
Shepard Scheinberg  
Kevin Duffy, Budget Review Office  
Jim Burke, Department of Planning  
Thomas A. Isles, Director, Suffolk County Planning Department  
Lauretta Fischer, Principal Planner, Suffolk County Planning Department  
James Tripp, Suffolk County Water Authority  
Steven Jones, Suffolk County Water Authority  
James Bagg, Suffolk County Planning Department  
Nicole C. DeAngelo, County Executive's Office  
Bill Talmage  
Karen Rivara  
Theresa Dilworth  
Donald McKay  
William Bartel  
Wayne Prospect  
Richard London  
R. Lawrence Swanson  
Lance Mallamo  
Ben Wright, Department of Public Works  
All Interested Parties

**Minutes taken and transcribed by Irene Kulesa, Legislative Secretary**  
***(The meeting came to order at 3:40 P.M.)***

**CHAIRMAN BISHOP:**

Good afternoon. Welcome to the Meeting of the Environment, Land Acquisition and Planning Committee of the Suffolk County Legislature. Please rise for the Pledge of Allegiance led by Legislator Guldi.

SALUTATION

**LEGISLATOR GULDI:**

I'm always available.

**CHAIRMAN BISHOP:**

Well, we always select the Legislator who we're keenly aware of whether they are behaving or not. As always this committee has a very lengthy agenda, not only in terms of resolutions but also probably in terms of potential controversy. So we have a lot to do. Why don't we

begin with the public portion? Wayne Prospect former County Legislator.

**MR. PROSPECT:**

Can I sit here?

**CHAIRMAN BISHOP:**

Wherever you'd like. Sometimes it's more powerful if you stand. But your presentations because of their content are powerful in and of themselves.

**MR. PROSPECT:**

Thank you Mr. Chairman, members of the committee. My name is Wayne Prospect and I'm a member of the Advisory Board of Long Island Groundwater Research Institute. I want to stress today that I'm a member of the Advisory Board but I represent myself today. I don't represent them per se. As an Advisory Board, we have published two newsletters over the past year or two on the MTBE issue to create a public conversation on the matter and so there is intense interest on this question.

About a year ago, I came before the Suffolk Legislature's full session in support of Legislator Fisher's legislation which sought to ban MTBE as a gasoline additive because of the havoc it can create in groundwater and eventually drinking water. Because of State action and {pre-emption} issues, I guess, we still have to live with this additive in gasoline for another three years. Today, I'm speaking on behalf of Legislator Alden and Postal's legislation, which would seek to initiate litigation against the manufacturers of MTBE for the purpose of holding them accountable for the economic damage that looms, in terms of potential groundwater and drinking water cleanups.

As we discuss the MTBE issue, I think it's important to discuss it in such a way, which does not create, if you will, a public, an undue public panic. Because right now, if you take a drink of water or a cup of coffee or take a bath, you're not drowning yourself or drinking a lot of MTBE. And I think as we discuss this important issue, it's important to convey that that the drinking water is fine and we're not drinking MTBE when we have our cup of coffee in the morning.

The Suffolk County Water Authority has four hundred and sixty five operating wells and the small traces of MTBE have been found in about ten percent of those wells. The State guidelines for MTBE is about fifty parts per billion and in ten percent of the water authority wells, point five to point two five parts per billion have shown up. So we're dealing in very infinitesimal amount of MTBE right now. However, the more shallow private wells that exist have been severely impacted with MTBE. So right now, in terms of drinking water impact, there's a distinction between a private well and the deeper, deeper, Suffolk County, the Suffolk County wells. The Suffolk County drinking water wells, as you know, are very deep and the water we drink, it could be ten, twenty, thirty, a hundred, to two hundred years old. But MTBE is a very aggressive compound. It is very aggressive and is very soluble in water and it moves through with relative ease through our sandy soils. So when we talk about MTBE, we are talking about the future. Because it's only a matter of time, five years, ten years, fifteen years, twenty years, twenty five years, where the MTBE that is in the groundwater will make contact with drinking water. So the MTBE is impacting groundwater through rainfall, storm water runoff, leaking underground storage tanks, gasoline and oil spills. So we've spent, how many millions of dollars to protect our drinking water supply? We don't want this hazardous potential carcinogenic substance impacting that drinking water supply in the future. I think our obligation now, if you will, is to intercept MTBE in the groundwater before it makes contact with drinking water. Now is this costly? Yes, it is. But it's more costly if we don't act.

About a year ago, the Suffolk County Water Authority, in testimony before the House Subcommittee on health and environment made the following statement before that congressional committee. And I quote, if MTBE contamination becomes more pervasive and concentrations of MTBE increase, the Water Authority will be forced to dedicate appreciable resources to combating MTBE at great expense to our customers. So our obligation, I think, is to hold people accountable who have marketed this toxic hazardous substance as a

gasoline additive when it's only marginally affective in impacting air quality but is creating and has the potential to create havoc with our groundwater and potentially our drinking water in the years ahead. And our obligation, as I indicated at the outset, also extends to people who are on private wells.

About fifteen, twenty years ago and it was that long, the County sued Union Carbide over temic, aldercarb and I think the lawsuit was successful because it resulted in a settlement that to this day, I believe, has people on private wells being supplied with filters and carbon filtration filters by Union Carbide and those filters are regularly monitored and that's part of the settlement. So the Postal, Alden legislation is important because it seeks to hold the manufacturers of MTBE liable for the damage they have caused. And again, let me stress the damages in the groundwater now. It has not made contact with drinking water but it's only a matter of time and by time, I mean five, ten, fifteen, twenty years from now. We have to look ahead; otherwise this additive will create the damage that we are now seeking to avoid if we do nothing. Because it is there and it is very soluble in our sandy soils, so I think we have to take -- we can't let the fact -- we can't have a see no evil approach here because it's there. We're not drinking it now. We might not drink it for a long time but it's there. Let's get it out now. Thank you, Mr. Chairman.

**CHAIRMAN BISHOP:**

Any questions? The future is bright for the legislation you're advocating. I appreciate you bringing it to our attention. Thank you.

**MR. PROSPECT:**

My pleasure and good luck in your deliberations over it.

**CHAIRMAN BISHOP:**

As is the tradition of this committee, we try to address issues in panel groups, so as to expedite our proceedings. So I know there are a number of cards regarding 1221 and 1100, right? Is that right? If you are here to speak on 1100 and are in favor of it, please come forward. They put 1100 -- Is 1221 also related to your --

**MR. SCHEINBERG:**

No, it is not.

**CHAIRMAN BISHOP:**

Just another subdivision.

**MR. SCHEINBERG:**

A subdivision but not us.

**CHAIRMAN BISHOP:**

Not yours. Okay.

**MR. SCHEINBERG:**

Shepard M. Scheinberg, Riverhead, New York, attorney for Friars Head Farm and Friars Head Farm LP. This matter was on last month's calendar and adjourned today to have the resolution corrected to show that there had not been a previous subdivision. One of the Assistant County Attorneys was preparing that resolution.

**CHAIRMAN BISHOP:**

Do you know -- is it your information that it's been filed corrected?

**MS. DEANGELO:**

Yes.

**CHAIRMAN BISHOP:**

Please come forward.

**MS. DEANGELO:**

Nicole DeAngelo, County Executive's Office. As far as I know, yes, it has been filed and the changes have been made stating that the Planning Board had not approved it. So those changes have been made.

**CHAIRMAN BISHOP:**

Okay. Legislator Caracciolo.

**LEGISLATOR CARACCILOLO:**

I was just going to point out that was faxed to me on Thursday, at my request. The language was changed to reflect that the Town of Riverhead Planning Board has not approved this subdivision and that was the error in the CEQ, I mean in the Farmland Committee Resolution. So that has now been corrected. So I would move to move this resolution when we get to the agenda, with the corrected copy.

**CHAIRMAN BISHOP:**

Counsel is here. Paul, on 1100? If you recall that was the Farmland Preservation Talmage property and the issue came down to that the whereas clause was incorrect regarding Planning Board action.

**MR. SABATINO:**

There's two things. One, there was supposed to be a corrected copy. It was going to -- my recollection was there was going to be a corrected copy, which deleted the reference in the whereas clause. The Town of Riverhead Planning Board hadn't already given approval and the second thing was the committee asked for the resolved clause to be explicit with regard to what the purpose of the subdivision was. Those were the two items that were discussed.

**CHAIRMAN BISHOP:**

That's what he has seen, the corrected copy?

**MR. SABATINO:**

Well, nothing -- unless it was filed today.

**CHAIRMAN BISHOP:**

Paul, do you know? Have you seen it?

**LEGISLATOR CARACCILOLO:**

Do you have a copy?

**LEGISLATOR BINDER:**

Can you track down a copy?

**CHAIRMAN BISHOP:**

Maybe you can save it before -- what's the deadline for that to be filed?

**MR. SABATINO:**

Today is the deadline. Before the committees began today, I had not seen it. But I've been in committee all day. It's possible it was filed after 9:30 but I haven't seen it.

**LEGISLATOR ALDEN:**

Mr. Chairman?

**CHAIRMAN BISHOP:**

Assuming it exists and it's filed by 5 o'clock, we'll deal with it before the meeting adjourns.

**LEGISLATOR ALDEN:**

Mr. Chairman?

**CHAIRMAN BISHOP:**

Does anybody have any other questions on this?

**LEGISLATOR ALDEN:**

Just one. Can you just put on the record what your reason was?

**MR. SCHEINBERG:**

We wanted to sell off a portion of it for a vineyard.

**CHAIRMAN BISHOP:**

Okay.

**MR. SCHEINBERG:**

Thank you.

**MR. BARTEL:**

Richard Bartel, Box 5, Remsenberg, New York.

**MR. MCKAY:**

Donald McKay, Union Avenue, Aquebogue.

**MS. DILWORTH:**

Theresa Dilworth, Hallock Landing Extension, Mattituck.

**MR. BARTEL:**

My name is Richard Bartel. Thank you Mr. Chairman for hearing us today. Thank you members of the board. We're here today to ask approval for a subdivision of 40 acres in Aquebogue. To give you a little history, in 1999, the Legislature approved the subdivision of some 160 acres approximately, which were all adjoined at the same time and at the time, the Legislature approved the purchase of the development rights for some of these 160 acres. The 40 acres that Ms. Dilworth, as the general partner of the -- owns, now wishes to subdivide those 40 acres into a 25 acre parcel and a 15 acre parcel. It's proposed that we grow grapes on the 15-acre parcel and the plan is to sell the 25-acre parcel to the McKay families. The McKays are here today. Michael and Donald McKay. They are traditional farmers whose families since the 1950's has farmed in this particular area. They would be growing traditional crops, such as pumpkins, corn, cut flowers. It's as a result of our study of the land, since we purchased it that we find that the 15 acres is more suitable for grape production than the other 25 acres. Ms. Dilworth is here today to answer any questions, as well as the McKays.

**CHAIRMAN BISHOP:**

Do we have some sort of prohibition against grape production? Why are people apologetic when they're growing grapes? Whoever wants to speak?

**MS. DILWORTH:**

I don't know if I have anything to add. As Richard mentioned, it's a 40-acre parcel. We analyzed the soil. We found the soil on the East Side to be gravel and sandy, more suitable for grapes and the 25 acres more suitable for regular farming. And the McKay family has been farming actually this parcel and the neighboring parcel, which I also purchased for the purpose of planting grapes. But they expressed a desire to own some farmland and it fit my plans, so we're requesting the subdivision.

**CHAIRMAN BISHOP:**

It's 40 acres that's under the program but she wants to subdivide it out and sell it and it will remain in agriculture. What is our standard? The amount that currently indicate for something to remain in agriculture. If somebody purchases a property and essentially lives there and is not an active farmer, how do we determine what's an active farm within the meaning of the program? Does anybody know that?

**LEGISLATOR GULDI:**

Knowing what went to -- for agricultural activities defined there, is that what we generally use? Is Allan still here?

**LEGISLATOR CARACCILO:**

I would suggest Mr. Burke come up and address that question.

**CHAIRMAN BISHOP:**

I'm forming a question based on what I know occurs in England. It's no longer, it's not economically feasible to run a farm, so a lot of the former farms become estates for wealthy individuals but aren't really in farming.

**LEGISLATOR GULDI:**

Yes, the question, I think, is that you're almost asking Legislator Bishop is, is the 15 acre grape farm a bonafide for profit operating farm or is it a guise for an estate and luxury property with grape arbors?

**CHAIRMAN BISHOP:**

Bonafide farming would be operating at a loss, actually.

**LEGISLATOR GULDI:**

That's the question you're almost asking.

**CHAIRMAN BISHOP:**

That's what I'm trying to articulate. Thank you. Thank goodness for you.

**LEGISLATOR GULDI:**

It's nice to be appreciated.

**MR. BURKE:**

It is the agriculture markets that we're guided by and that's why we have -- that's the language we have in our deed restriction. That it has to be agricultural as defined by the agriculture markets. We have a member of our staff who goes out periodically to check on the various properties to make sure they're in compliance with it.

**LEGISLATOR ALDEN:**

On the question?

**MR. BURKE:**

Got a badge and everything.

**LEGISLATOR ALDEN:**

So if you went out and found that this was just a gentlemen's estate or gentlewoman's estate, then they would have to be what, a {reverta} reversion?

**MR. BURKE:**

Obviously, we don't allow houses to be built on the property. So the idea of that being an estate is kind of stretching -- obviously, you're right, there's no residential buildings allowed to be built on the property that are on the road.

**LEGISLATOR ALDEN:**

Let's just ask the question then? On the piece that you're subdividing, is there an existing estate house?

**MS. DILWORTH:**

No, because the development rights have been sold. So there is no ability to put a house there. I do have --

**LEGISLATOR ALDEN:**



Was there a house there though?

**MS. DILWORTH:**

No, never.

**LEGISLATOR ALDEN:**

So nothings existing? Okay.

**MS. DILWORTH:**

I mean, I think, maybe I mean -- I think what I'm hearing is people, maybe they view this vineyard as a hobby or something. I mean, I do work full time in New York City as an attorney. I have a weekend house in Mattituck but I view this as a bonafide business. I have a couple of partners who are investing money. I'm a life long Long Island resident. I love gardening and you know I want to get involved in the vineyard business and making the financial investments in the beginning but after three years, we'll have a first harvest. And we're planning to use Premium Wine Group, which is the custom crush facility in Mattituck to make the wine. We fully intend to market the wine. You know, I think there's an implication that this is just a hobby or an estate or something like that. I mean, we're going to invest, you know, in 15 acres of permanent grapevines and I wouldn't, you know, we want to make a business --

**CHAIRMAN BISHOP:**

I'm reading one line to this. We're just seeing these applications now to subdivide the farms and I think, we're wondering aloud, why that's occurring and we're trying to make sure it's not {pretextual} that people aren't, you know, in general, not specifically to your application. Go ahead.

**LEGISLATOR ALDEN:**

Then the one other question that came up and I believe it was at the last committee meeting. Is it going to be a traditional, what I would think of as a traditional wine or winery, where you'd build some kind of retail outlet or something along those lines?

**MS. DILWORTH:**

No, the 15-acres that I would be keeping would have no right to make buildings other than wooden agricultural buildings. The 25-acre section which I would like to sell to the McKays does have a three and a half acre building rights, building -- the development rights are in tact only to do agricultural buildings, which would include actually a winery. So I'm actually -- I would be giving up the section where I could potentially put an agricultural building including a winery or a farm stand. I would be selling that. Because I'm only interested in growing the grapes there. I'm willing to have my wine made at Premium Wine Group.

**CHAIRMAN BISHOP:**

Okay, thank you. Legislator Caracciolo has a question.

**LEGISLATOR CARACCILO:**

Just to make the record complete. It is your position then that in no time in the future will you apply for a building permit to build any type of residential home on this property?

**MS. DILWORTH:**

No, it's not allowed.

**LEGISLATOR CARACCILO:**

Not allowed. I know it's allowed, if not allowed. I just wanted to have you say with your own words make the record complete, like I said.

**MS. DILWORTH:**

No, I bought the land knowing that it could never have a residence on it. It could only be used as farming.

**LEGISLATOR GULDI:**

Mr. Chairman? Just a simple question and I think it will rectify and terminate the discussion and that is, did you or not by deed when you deeded out the development rights for the parcels reserved expressly the right to sub-divide the property?

**LEGISLATOR CARACCILO:**

George has a way of doing that.

**MS. DILWORTH:**

I didn't really understand the question. I bought --

**LEGISLATOR GULDI:**

Neither did anyone else, apparently.

**CHAIRMAN BISHOP:**

He thought he was law review.

**MS. DILWORTH:**

When I purchased the land, the development rights had already been sold by the previous owner.

**LEGISLATOR GULDI:**

All right. At the time that the development rights were sold off, didn't the deed specifically reserve the right to future subdivision? Isn't that our practice generally that we -- the subdivision rights are independent of development rights?

**MR. BURKE:**

Subdivision rights in essence of that you are allowed to deed off part of a property, not the -- as some people have lots -- a subdivision they think about are like a residential development. Obviously no that's not what --

**LEGISLATOR GULDI:**

It simply divides the portion.

**MR. BURKE:**

They have a right to apply for the farmland committee and subsequently this committee if you have a subdivision of a property.

**LEGISLATOR GULDI:**

In essence, the answer to my question is the application is of rights.

**CHAIRMAN BISHOP:**

You know, I rescind my thank goodness remark of earlier.

**LEGISLATOR GULDI:**

Yes but you can keep the sarcasm. But you have the thank goodness remark that is.

**CHAIRMAN BISHOP:**

Thank you. You're right. You're in good shape.

**LEGISLATOR CARACCILO:**

You're in good shape. You don't have to say anything.

**MR. MCKAY:**

I just want to say one thing. This is one way for a young farmer to stay in farming. The way things are going out east, there's no way that we can buy farmland. It's just priced way out of our reach and for me and my brother to continue farming, with Theresa's help here, this is the way that we can do it.

**LEGISLATOR CARACCILO:**

And Jim, before you leave? Is there any difference between this request and the former request by the Talmages?



**MR. BURKE:**

No, the same thing.

**LEGISLATOR CARACCILO:**

Thank you. That's all. You answered the question.

**CHAIRMAN BISHOP:**

Does anybody else want to add anything to the record? Thank you very much. I believe that exhausts -- oh, Karen Rivara. If there is farmland you want to subdivide, now is the time.

**MS. RIVARA:**

It's a farming issue. We're, you know, right on track. I represent the East End Farmers Association and we just have a few concerns about Resolution 1034. We want to make the committee aware of the fact that there are fourteen aquaculture companies currently operating on underwater land grants on which taxes have been paid up. We're concerned that the policy decisions made by the proposed committee may affect the underwater grant holders and the use of their land and these grants are the only opportunity we have, to have access to underwater land rights. The other part of my comments, actually a question, there's no -- currently the County is not -- does not have an active Leasing Program. And I guess, I'm wondering if this committee, if the intent of this committee is to begin to form a Leasing Program and if so, I think you need to have some members on the committee that are familiar with the aquaculture.

**LEGISLATOR GULDI:**

Okay. If I may, address the speaker's questions, Mr. Chair? The bill as drafted, I intend to substantially revise and I have revisions for counsel. I will be moving to table it today. I'm not moving it today. The -- with respect to the role of the committee, the committee's role, as I see it, is to examine the issue of aquaculture and reach an advisory opinion as to what the County's role is visavis aquaculture, it's regulation, promotion and etc., should be the result of that committee would come back to the Legislature, this body would then entertain any policy to be formulated.

With respect to participation in the committee, as I've said to many individuals who have expressed interest about the committee is that you can either be on the committee to hear testimony and discussion about engaging the recommendation of policy to this Legislative body or you could testify to that committee with knowledge and information as to what that policy should be but frankly, you can't do both. It should either be on the committee or testifying to it as an expert with knowledge and information and opinions that should be considered in policy formulation.

So I'd certainly would urge you to have a role with the committee in its future. I'm hopefully telling us what it is we should be doing from the basis of your experience. What ultimately, whether the County -- how the County should exercise what limit and jurisdiction it has over aquaculture is the subject that the committee should take up and consider. Does this sufficiently answer your question?

**MS. RIVARA:**

Yes, it does.

**LEGISLATOR GULDI:**

Thank you.

**CHAIRMAN BISHOP:**

We're on a roll, okay. If you are here because you are nominated to be appointed or reappointed to any County Committee, please come forward at this time. Good afternoon.

**MR. LUNDON:**

Good afternoon Mr. Chairman. My name is Richard H. London for reappointment to the Suffolk County Planning Commission.

**MR. SWANSON:**

I'm Larry Swanson for reappointment to CEQ.

**MR. MALLAMO:**

Lance Mallamo for appointment to the Council on Environmental Quality.

**CHAIRMAN BISHOP:**

We've got two CEQ's and a planning. Why don't we begin with Mr. London. You're a reappointment?

**MR. LONDON:**

Yes sir. That's correct.

**CHAIRMAN BISHOP:**

Why don't you; in brief, just tell us why you want to do it again? What you feel you contribute to the board and what we can do better as a County, in terms of planning?

**MR. LONDON:**

Well, thank you very much for allowing me to answer that question. The first answer is very simple. It's the best County in the State. Why not be on the Planning Board. What's my reason? Secondly, I've served diligently, I hope, since 1994. I was just told today that my attendance record was one miss in three years. I think that's pretty good. I enjoy it. I like what I do and think I've acted in the best interests of Smart Growth for the development of Suffolk County, as put forward and forth by the Legislature of this County and pursuant to the commission and the {commissionerships} that we all serve together collectively as. I think we work as an extremely diligent group that always looks in the best interest of the ratepayers of this County, for the best interest of my children and yours.

**CHAIRMAN BISHOP:**

Legislator Fields, you have questions?

**LEGISLATOR FIELDS:**

Mr. London, do you know what a plat is?

**MR. LONDON:**

Do I know what a plat is?

**LEGISLATOR FIELDS:**

Um-um.

**MR. LONDON:**

I believe so.

**LEGISLATOR FIELDS:**

Might I ask you what it is?

**MR. LONDON:**

A plat is as I understand it is a like a footprint, a blueprint of a development, something to be built, created.

**LEGISLATOR FIELDS:**

How about a flag lot?

**MR. LONDON:**

Flag lot, absolutely is a piece of land that usually has a very lengthy narrow driveway, similar to looking at a flag and say flag extended with a pole. This would be a very short driveway, perhaps very lengthy, like three hundred feet.

**LEGISLATOR FIELDS:**

In your experience of working with the Planning Commission, I looked back over the last year at the minutes and you, I'm sure know that I put in legislation to change the makeup, I guess, of the Planning Commission. And what I would like to see is that the people who serve on the Commission have more experience with the kind of information that they have to make decisions about. And I just wonder, in your background, how you feel that you have the background to make those kinds of determinations and what you offer to this board?

**MR. LONDON:**

Thank you for allowing me to answer that. Firstly, since 1994, serving on the board, I've done as much research as I could. I've studied. I've taken some training seminars that have been offered. If you're familiar with Suffolk Community, they have had some. So that coming on to the board, we are more familiar with what is expected of us.

**LEGISLATOR FIELDS:**

Sir, you've taken a couple of courses, okay. And in your determinations, what I also noticed on the minutes is that the staff makes recommendations and then the Commission approves or disapproves.

**MR. LONDON:**

That's correct.

**LEGISLATOR FIELDS:**

Does anyone ever disapprove what the staff report says?

**MR. LONDON:**

Absolutely.

**LEGISLATOR FIELDS:**

How come that would not be reflected in the minutes then?

**MR. LONDON:**

Well, I can only speak for myself. There have been times I have voted in disapproval, if after questioning why certain things were recommended for an approval or disapproval, why they went that way. There are many times we have extenuating circumstances when certain objections may not have been brought forward or other areas of concern. Like with myself, the one thing I always look for in a development is a secondary means of egress, a secondary roadway or passageway to leave in the event of an emergency need, school bus passing, garbage trucks, fire apparatus or the such. And that would always warrant, in my opinion, the disapproval if you were to do a subdivision with one way in and one way out.

**LEGISLATOR FIELDS:**

No further questions. I don't have any.

**CHAIRMAN BISHOP:**

Mr. London, I have a question. Just in general, I've heard the criticism that our Planning Board is not aggressive enough and that too often it rolls over for developers. Do you agree with that and if not, what can you cite as an example of where we have played a meaningful role in curtailing a development or, at least, making it a more manageable one for the surrounding community?

**MR. LONDON:**

Thank you for allowing me to answer that. It's important to note because I know that it has been brought up to the public eye in recent times that although there are some developers there, this isn't, you know, a one sided direction where you know we push or vote showing favoritism, so its one focus or another. Again, as I indicated at the onset, when I vote, I vote for the best interest of the taxpayers of this County what is in everyone's best interest relative to safety and welfare. And I can only say that I have never viewed, from where I sit at the table and all the times that I have voted any occasion ever, even one time that anyone had forwarded in a favorable manner that would in any way enhance or advance any developer for any remuneration or gain of any sort or type.

**CHAIRMAN BISHOP:**

I don't doubt that there's integrity. I'm asking, inviting you to respond to is the idea that the board is slanted in favor of development. Is it your experience that it is? If it's not, what can you cite that's --

**MR. LONDON:**

Thank you. I would say one hundred and fifty percent negative; it is not slanted towards just developing. I mean, we have -- as I said, the Smart Growth policy, which has been put forward and there is no slant there. They're just toward boom, boom, boom, knocking them out like a machine gun. We don't do that.

**CHAIRMAN BISHOP:**

I think a lot of the Legislators were upset last year or the year before when our number one priority, as enumerated in our Greenway's Program, acquisition sites for open space.

**MR. LONDON:**

Um-um.

**CHAIRMAN BISHOP:**

When Grandifolia Hills was approved by the Planning Board for development and we felt that that was contrary to our wishes but moreover it suggested that the board was not sensitive to the environmental mission of the County. And so that's why, when we get a board member like yourself in our clutches before, we want to know what's going on there.

**MR. LONDON:**

I'm grateful that you're asking. You know, I mean, again, you represent every taxpayer in this County. They put you here and because of that, you deserve the total truth. I can tell you sir, where I sit, I find there is not any slant towards any focus of any direction that would enhance any individual other than for the welfare and wellbeing of our County. And I'll will end again, by saying if I'm reappointed, I thank you, I'm grateful. If you choose not to; that's your choice too. But I will only serve in the best interest of the ratepayers of Suffolk County. That's why I'm here and that's why I want to continue.

**CHAIRMAN BISHOP:**

Let me give you one last opportunity. It might be unfair because you may not have the records before you and recollection of what exactly occurred, but can you cite anytime in the last couple years that the board has played a meaningful role in limiting development? Has that been part of the discussion? Like this application is inappropriate?

**MR. LONDON:**

The only time I can, off the top of my head, without mentioning names of different developments, we'll call them, would be an issue where if there is a question of legality, a question of whether or not there was federal laws to warrant no development. Whether we had spotted turtle or salamander or something else that's on the federal endangered species list that is endangered that we cannot evade the freshlands, waterlands, wetlands acts, things of those natures that would bring forward an opportunity to say hey, whoa, we better stop. There's reason here to be considerate of that. And I can only say that under the direction that we had with our former director Steve Jones, he was always very careful to make sure, as were the other board members equally, to see to it that everything was always done exactly to the letter of the law without question. And I didn't know a lot coming in and I still don't know an awful lot but I know a lot more today than I did then. And I feel very comfortable, as I said, knowing that we followed the letter of the law and the wishes of the Suffolk County Legislature for Smart Growth.

**CHAIRMAN BISHOP:**

Mr. London, I don't know whether we can reapprove it for another term or not. I suspect you will be. But the basis of my question is not that the board members do not have high integrity or that the board members do not follow the law, it's that you are a policy making board as well. And we would hope that in that mission, there would be some zeal for the

protection of the environment. And I'm sure you'll carry that message back and I appreciate you answering my questions. I'm sure there are other questions that need to be answered. Legislator Binder, either Legislator Caracciolo also.

**LEGISLATOR BINDER:**

Well, I think also there are Legislators here who care about the balance also, not just zeal for the environment at the exclusion of the balance between development, the need for growth, the moving forward the economy, the -- you know the problem that we have right now with the budget itself. I mean, when don't have any growth that kind of problem go on to the future, so it's a balance. You know a reasonable growth and so I would hope that you don't get one message from us, maybe we have a mixed message here as to how we'd like to see growth. I don't really have a particular question.

I just want you to know that I received a fax before I left. I saw, in my office, whoever this person was didn't have the guts to sign it nor come here and testify before the committee and show who they are and sign a card who had a problem with you and I'm not going to repeat the accusations against you. I filed it where it belongs in the garbage before I came here. And if I didn't have any other reason, I think, just because I know you and your integrity and other reasons why I think that you should be reappointed. But besides that, I had no other reasons, didn't know you, I would vote for you just because I would want to send a message to whoever thought that they could influence and I hear that other Legislators got the same fax. It was sent from a Kinkos. He didn't have the guts to take the chance that their phone number might just happen to end up on the masthead of the thing. And I would want to send them a message that that's not going to be tolerated, smear campaigns won't be tolerated and so I'll let you know that I'm going to be supporting you.

**MR. LONDON:**

Thank you very much.

**LEGISLATOR CARACCILO:**

Good afternoon Richard. You and I -- like Legislator and yourself, I'm sure know each other a number of years in a number of different capacities. A few questions. First, could you tell us what the role of the Suffolk County Planning Commission is?

**MR. LONDON:**

At this point, we have a structure put forward called Smart Growth.

**LEGISLATOR CARACCILO:**

No, no, no. Basically what I want to know is the mission statement, if you will, of the Suffolk Planning Commission? So that everyone knows on this panel and whoever takes the time to read the minutes of this committee meeting what the Suffolk County Planning Commission does. What is your role as a member of that body?

**MR. LONDON:**

I take it upon my responsibility for the taxpayers who have, through you folks, put me forward to vote favorably or unfavorably against development for whatever cause an reason in the best interests of Suffolk County.

**LEGISLATOR CARACCILO:**

Let me ask the same question of Mr. Swanson? Same question. Emission statement of Suffolk County Planning Commission.

**MR. SWANSON:**

I'm not on the Planning Committee.

**LEGISLATOR CARACCILO:**

Oh, I apologize; you're here for CEQ. Oh, I apologize. I heard two members. I had it reversed, okay. So you're here already as a member of CEQ, I apologize. Okay. I know Tom Isles is in the audience. Tom? Could you come up and join us please? First, let me publicly take this opportunity to welcome you aboard and congratulate you on your



appointment as the Suffolk County Planning Director. You have, as many of us have said before and I'm happy to see that he's in the audience today, you're following in the shoes of someone who it's going to be difficult to do but we are optimistic you can do it because Steve himself has spoken very highly of you. Could you share with the committee what the mission statement of the Suffolk County Planning Commission is, when you convene the entire board and what is it exactly? Just run us through the process. Once you get to an agenda of what it is that the individual members of that Planning Board are there to decide?

**MR. ISLES:**

First lesson to learn is how to turn on the microphone, okay. Just to summarize, in terms of answering your question as best as I can, at this point, in terms of the mission of the Suffolk County Planning Commission, I would say it would be two fold. One would be the fundamental statutory role of the Planning Commission, in terms of accepting and reviewing and passing judgment on applications involving intermunicipal matters. Matters that fall within boundary lines of municipalities within County and State roadways and so forth. And that role, I believe, the role of the Suffolk County Planning Commission is to help coordinate and to best plan for development, so that the impact of one development in one town will not adverse the affect in the other town. If there's a process in place to identify those impacts where towns can register their concerns and objections and to result in the best level of development and planning for the County. The second role, I think, it would be more of the policy level as determined by the executive and legislative branch of County Government.

**LEGISLATOR CARACCILO:**

Mr. Isles, I'm having trouble hearing. I wish that my colleagues would extend to the speaker the same courtesy they would wish to have if they were speaking. Thank you Mr. Isles.

**MR. ISLES:**

In that sense, the executive and legislative branch can direct the Suffolk County Planning Commission in certain planning studies. And the example that's been talked about today as the Legislature did request of the Suffolk County Planning Commission, through the Planning Department the completion of the Smart Growth Study sets an example of not a specific application, not a specific municipality but more the general County planning issue. So a very quick response to your question sir, those are the two areas that I would view is the mission of the Suffolk County Planning Commission.

**LEGISLATOR CARACCILO:**

Okay. Mr. London, is the Planning Commission a policy making board?

**MR. LONDON:**

I paused for a moment because I just wanted to think this whole thing out. There are some policies that are discussed, yes sir, so we would be setting some. But generally speaking, you know we have rules in place and beside you, when I go by -- like when Legislator Fields asked me about flag lots. I know for a fact, I have a rule in my head, over three hundred feet it's like -- it doesn't happen, not in my vote. Because it creates mega problems when you allow flag lots, driveways extending that extra length of distance. So as far as a policy, yes, I have certain things what I think are considered undoable in the best interest of the development.

**LEGISLATOR FISHER:**

Would you suffer an interruption? I just wanted to ask a question.

**LEGISLATOR CARACCILO:**

On that?

**LEGISLATOR FISHER:**

Yes.

**LEGISLATOR CARACCILO:**

Sure.



**LEGISLATOR FISHER:**

Do you mind? Because I seem to be hearing two very and I would say very disparate mission statements. It seems to me, Mr. Isles that when you spoke, you were speaking of an overview, a vision, a forward looking and pro-active mission as being part of the Planning Board and the Planning Commission and the Planning Department working together in tandem. Mr. London, I'm listening to you and it seems to me that the items to which you refer seem to be just gauges by which invoke immediate decisions and which you react the proposals that are -- heard any reference to, for example, your role in -- the very good jobs that I saw Steve Jones earlier, the job that was done on the Smart Growth mandate that was given by this Legislature and the Planning Department executed. So I'm finding that your answers seem to be at odds with one another. Could you qualify that for me Mr. London?

**MR. LONDON:**

Okay.

**LEGISLATOR FISHER:**

I know it's a long interruption but it was something that had just been said. So bear with me.

**MR. LONDON:**

I look at each application individually. There were merits to every one, you know.

**LEGISLATOR FISHER:**

Do you envision your role as being more than just each application? Do you have a broader view of where those applications will fall when you do get them? Before you get them, in other words?

**MR. LONDON:**

Yes, I would.

**LEGISLATOR CARACCILO:**

Mr. London, are you familiar with the Suffolk County Open Space Plan?

**MR. LONDON:**

Somewhat, yes sir.

**LEGISLATOR CARACCILO:**

You know what that is?

**MR. LONDON:**

Yes sir.

**LEGISLATOR CARACCILO:**

Could you describe it?

**MR. LONDON:**

The Open Space Plan was, as I understand it, relative to the twenty, twenty, twenty, am I correct on that?

**LEGISLATOR CARACCILO:**

No that's the Greenways Program.

**MR. LONDON:**

Okay.

**LEGISLATOR CARACCILO:**

Are you familiar with the criteria that's used in the County of Suffolk for the acquisition of environmental properties?

**MR. LONDON:**

Not totally, at this time.

**LEGISLATOR CARACCILO:**

Are you familiar with the Suffolk County Nature Preserve Handbook?

**MR. LONDON:**

Not at this time.

**LEGISLATOR CARACCILO:**

Do you perceive your role -- I'll wait until they finish talking. Do you perceive your role as one member of -- Tom, is it eleven members?

**MR. ISLES:**

Thirteen.

**LEGISLATOR CARACCILO:**

Thirteen members. How do you see your role as one of those thirteen members?

**MR. LONDON:**

I understand my representation represents five thousand and less in population of the twenty-nine villages that are in Suffolk County.

**LEGISLATOR CARACCILO:**

You are, in fact, the village representative?

**MR. LONDON:**

That's in the -- five thousand, yes.

**LEGISLATOR CARACCILO:**

Right, okay. Are you familiar with some of the matters that came before the Planning Board in the last couple of years relating to the Town of Riverhead?

**MR. LONDON:**

Yes sir.

**LEGISLATOR CARACCILO:**

Which ones? I'm talking about large issues that came before the Planning Committee.

**MR. LONDON:**

The route 58 corridor, yes. What's going on with Calverton, yes.

**LEGISLATOR CARACCILO:**

What is going on with Calverton? What position did the Planning Board take?

**LEGISLATOR BINDER:**

Can we do a test? I'm sure we can hand out test --

**LEGISLATOR CARACCILO:**

Well Allan, you can leave, if you don't have the patience for listening to some important questions.

**LEGISLATOR BINDER:**

It's just that we haven't treated anyone who isn't paid on board --

**CHAIRMAN BISHOP:**

Legislator Binder.

**LEGISLATOR BINDER:**

In twelve years here, I've never seen people --

**LEGISLATOR CARACCILO:**

Maybe you haven't but then some of my committee --

**LEGISLATOR BINDER:**

It's unfortunate. It's really unfortunate.

**CHAIRMAN BISHOP:**

Legislator Binder's point is -- well it's out of order, first of all. But if it was phrased as a suggestion, it might have been a nicer point and one well taken.

**MR. LONDON:**

I'd be happy to answer the question.

**CHAIRMAN BISHOP:**

It's hard for nominees without papers in front of them to refresh their recollection.

**LEGISLATOR CARACCILO:**

Well, it matters a lot to me how an individual on that Planning Board voted on certain matters. It's very important to me.

**CHAIRMAN BISHOP:**

So why don't you ask that question without --

**LEGISLATOR CARACCILO:**

As I had hoped it would be very important to Mr. Binder, if it pertained to someone in his district.

**CHAIRMAN BISHOP:**

Legislator Fields --

**LEGISLATOR BINDER:**

I would do the research and I would check out where he's been and before he even came here, I'd understand where he was on that.

**CHAIRMAN BISHOP:**

Legislator Binder, please?

**LEGISLATOR BINDER:**

I wouldn't cross examine him and give him a test while he's sitting here testifying when he has given this County his time and his effort. And I wouldn't do it to anyone, including yours Mr. Caracciolo, when you had someone come here for the college, no one cross examined him like that and it's unfortunate. It's unfortunate how you treat people.

**LEGISLATOR CARACCILO:**

You had the opportunity to do that. If you chose not to, I certainly did and he was my nominee and he was approved. I'm sure you did not.

**CHAIRMAN BISHOP:**

Legislator Binder?

**LEGISLATOR CARACCILO:**

Mr. London, if you can try to recall some of the important matters that came before you, as a member of the Planning Commission in the last several years relating to -- I'll give you some help. Does Riverhead Town Center ring a bell?

**MR. LONDON:**

Yes sir.

**LEGISLATOR CARACCILO:**

Okay, could you tell us what that was? I mean, if you know. If you don't remember, just say you don't remember.

**MR. LONDON:**

I don't remember many of the details. I remember some of them and as far as Calverton, I'm fresh on that. If you'd like, I'll recant some of that for you.

**LEGISLATOR CARACCILO:**

Okay, well here's what point I want to make is that earlier the Chairman made reference to the Talmage property and the fact of the matter is that the Planning Commission and I would be interested in how you voted on this, made recommendations, which were not followed by the Town of Riverhead but that was more stringent than those the town itself considered.

**MR. LONDON:**

I recall that.

**LEGISLATOR CARACCILO:**

Okay. Do you recall specifically what those additional requirements were? It's not important. Because at the end of the day, the Talmages who own the property chose not to sell the property for preservation purposes, which is their God given right.

**MR. LONDON:**

Right.

**LEGISLATOR CARACCILO:**

Okay, it's a God given right. That's right. Okay.

**LEGISLATOR BINDER:**

Can I ask you questions about that, Legislator Caracciolo?

**LEGISLATOR CARACCILO:**

You want to get into that debate? Another time, another time. Tom, did you want to interject something on either of those three matters we tossed around? Calverton with their town center or the --

**CHAIRMAN BISHOP:**

What is this? Just open-ended?

**MR. ISLES:**

I have nothing on that.

**LEGISLATOR CARACCILO:**

Okay. All right. Thank you Mr. London.

**CHAIRMAN BISHOP:**

Thank you Mr. London.

**MR. LONDON:**

Thank you.

**CHAIRMAN BISHOP:**

Anybody else? Okay. So you thought London got it hard. Watch out Swanson. Mr. Swanson, do you want to --?

**MR. SWANSON:**

Well, I've been a member of CEQ since 1988. I'm currently Vice-Chairman. My background is in the physical oceanographer; an ocean physicist and I specialize in marine pollution issues. I think I'm the only member of the board that you could say is -- falls in the category of an oceanographer. My interest in the CEQ is that Suffolk County is a wonderful place to live. Our environment is, in fact, a very important aspect of that and it's very important to me that we see that we give environmentally issues due process and all the decision making

that goes on in the County.

**CHAIRMAN BISHOP:**

Mr. Mallamo.

**MR. MALLAMO:**

Thank you for the opportunity to present myself today. Many of you know me as Suffolk County Historian, former Director of Historic Services in the Parks Department and currently I'm Executive Director of the Vanderbilt Museum. And you're probably asking yourselves what does this have to do with the Environmental Quality Council? In my role as Director of Historic Services, I think, I attended almost every meeting of the CEQ. One I missed and the result, in my opinion, had disastrous consequences and when the project was built, I called and said how did this get through the CEQ without my knowing about it? And of course that was the day that I was absent. No, it was a radio tower at Exit 56 in Hauppauge and going back through the minutes, no one realized the impact that that tower would have and I would have spotted it right away. My concern would have been the view shed from Blydenburg County Park in Smithtown. And if you know the historic area at the end of New Mill Road, we have one of the most beautiful scenic views on Long Island, which now has a three hundred foot tower right in the middle of it.

I've always been concerned with the environment. I do have a Masters Degree in Urban Planning. I went to graduate school on a full scholarship at Hunter College and I was a James {Felt} Fellow. I had taken environmental law, although as Director of Historic Services, my concentration was more on the built environment. I actually did my Masters Thesis on the Suffolk County Historic Trust, which is the Council on Environmental Quality. And I picked that because I think Suffolk County is not only the finest place to live in the United States but is probably the most environmentally conscious of any County, at least, in New York State that I have been able to find. Other than that, the other thing I will add while I'm a big promoter of the environment, I'm also a promoter of appropriate development. I'm not a supporter of NIMBSY of locking the door after the last person in the County gets in. The Smart Growth initiative, I think, is fabulous. I think we should exploring other issues like transfer of development rights, different preservation strategies, adaptive reuse to utilize the resources that we have in place rather than continuing to build this constant strip development that we see happening. And for the County's role in the environmental quality, I think, the County can lead by example. Would you like me to talk about a few different projects that the County has been involved in that, I think, I've contributed to? I could probably --

**CHAIRMAN BISHOP:**

All right.

**MR. MALLAMO:**

I'll wait for your questions.

**CHAIRMAN BISHOP:**

Are there questions for either of the CEQ nominees?

**LEGISLATOR FISHER:**

Well, I had a little bit of a comment, rather than just a question. Because as having been the former Chair of the Parks Committee, I had attended a number of CEQ meetings and I have seen the importance of, I'll speak to both of your issues. I have seen the role, Larry that you play and the expertise that you bring to CEQ. I've picked your brain with regards to impacts of local projects on our waterways, particularly very pristine waterways in Stony Brook Harbor. I've asked you many questions about waste management and dredging. You are an expert in modeling dredging issues and harbor issues. So I can make that comment with regards to Dr. Swanson and his expertise and I've seen Lance, as a member of CEQ. I was a member of CEQ. I've seen the importance of having someone with a historical background and certainly, you are the maven. And although neither one of you lives in my district, you certainly are district neighboring enough that I know the effects of the work that you've done and I know both of you very well. I certainly recommend both of you very

highly.

**CHAIRMAN BISHOP:**

Okay, any other questions or inappropriate speeches? Nothing, thank you.

**MR. MALLAMO:**

Thank you.

**CHAIRMAN BISHOP:**

Thank you all. We'll proceed to the agenda then. Is there anybody else who wishes to address the committee on --?

**LEGISLATOR CARACCILO:**

Mr. Chairman, I'd like to note for the record that we have the Supervisor of the great Town of Riverhead here, Robert Kozakiewicz and Councilman Ed Densieski who are both here, I understand, to lend their support and the town support of the acquisition of property adjacent to town owned parkland called Stotzky Park. And I'm sponsoring that resolution, which was delayed before this committee pending CEQ. But it has now been approved at CEQ, at their last meeting last week.

**CHAIRMAN BISHOP:**

Thank you. Is the Real Estate Division here and Planning? Take your usual seats please? Go through the agenda. 1221 authorizing the remainder fee of land in the Suffolk County Farmland Development Rights Program Clos Therese LP. That second matter that we heard earlier.

**LEGISLATOR CARACCILO:**

Motion to approve.

**CHAIRMAN BISHOP:**

Motion to approve by Legislator Caracciolo, second by myself. All in favor? Opposed? Approved unanimously.

**INTRODUCTORY PRIME:**

**I.R. NO. 1221 Authorizing subdivision of the remainder fee of land in the Suffolk County Farmland Development Rights Program. (LE Clos Therese LP - Riverhead (Legislator Michael Caracciolo))**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

1230 authorizing acquisition of environmentally sensitive land to be acquired with current funding pursuant to Article 12 of the Suffolk County Charter. Counsel, explanation?

**LEGISLATOR CARACCILO:**

On this, I'd like to make a motion to table. I'd like to give an explanation why. Mr. Grecco, you and I had a conversation regarding a shortage of funding that's going to be available, as a result of Proposition 2 not passing last year. And as a result, back on the February 13th Committee Meeting, there was an exchange from the committee and yourself and that seat you sit in now about sponsorship of -- my sponsorship along with Legislator Fields, of the transference of five million dollars from the Farmland Program to assist you in making some open space acquisitions. Do you recall that conversation?

**MR. GRECCO:**

Ah, yes.

**LEGISLATOR CARACCILO:**

Okay. It was understood by each of us that we would be helping and facilitating your needs for open space funds by transferring that five million dollars and as such, I sponsored a resolution, which was subsequently withdrawn. You're familiar with that?



**MR. GRECCO:**

Ah, yes. May I elaborate on that?

**LEGISLATOR CARACCILO:**

Sure.

**MR. GRECCO:**

I wanted to bring to everyone's attention the fact that the old Drinking Water Protection Program had, in fact, ended. Our funding had stopped. And in fact, some of the projections as to what the actual amounts that will be put into that fund has been reduced by the Budget Office and clearly there was an {oversubscription} in drinking water. I had made some suggestions, in terms of assisting us to continue our open space negotiations. Now, perhaps we hadn't communicated properly. I thought I had said I would prefer not to touch the farmland money. The reason being, we've had a significant number of farmland acceptances and contracts in Riverhead Town and the actual one hundred percent farmland funding would be utilized to that end.

**LEGISLATOR CARACCILO:**

Well, hat's why I want to interject.

**MR. GRECCO:**

Yes.

**LEGISLATOR CARACCILO:**

Because sitting to my right is the Chair and co-author of the Greenways Program with this Legislator and when that program was put in place, what I heard loud and clear from my colleagues in Western Suffolk is that why do we need more money for farmland? And we made the case and with Legislator Bishop's support, we have twenty million dollars set aside for additional funding in farmland. In fact, Legislator Bishop and I are co-sponsoring another resolution that's on the agenda that would add twenty five million for farmland preservation efforts. But at the time, it was made very clear that Legislators from Western Suffolk believe that the towns on the East End had to share in the cost of future farmland acquisitions. Thus that program gave birth to a twenty million dollar funding source that's divided seventy percent County purchased, thirty percent village or town purchase. In fact, I was the one who sponsored the resolution to permit villages to participate because the original Charter Law didn't include villages and we did that for the Village of Greenport, as you recall.

**MR. GRECCO:**

That's correct.

**LEGISLATOR CARACCILO:**

Okay that said, what the relevance to 1230 is is we have before us a resolution that would use funding and that would exclude the ability of the Division of Real Estate and the Director, Mr. Grecco to go ahead now and close on some vitally important long term, long negotiated property acquisitions, which he will not have funding for. Am I correct?

**MR. GRECCO:**

Correct.

**LEGISLATOR CARACCILO:**

Therefore, I make a motion to table 1230 until I can work out with the executive branch some of the nuances that will enable us to do both.

**LEGISLATOR FIELDS:**

I would second it.

**CHAIRMAN BISHOP:**

I have a motion and a second. Legislator Binder wishes to be heard.

**LEGISLATOR BINDER:**

The Resolution 1230 represents an {oversubscription} basically. That's what's being said. That there's more here than we can pay for.

**MR. GRECCO:**

1230 basically says that you had a large lot Omnibus Resolution in the Pine Barrens Core and you had a small lot Omnibus Resolution in the Pine Barrens Core. The Pine Barrens Core has not been completed at this point in time.

**LEGISLATOR BINDER:**

Can we not take that list, prioritize it so that the most important closest to closing that's what we put on there. Take off those furthest from closing, least priority; take them off, so we'd have the number of --

**MR. GRECCO:**

A realistic number, yes.

**LEGISLATOR CARACCILO:**

Legislator Binder, would you suffer an interruption?

**LEGISLATOR BINDER:**

Sure.

**LEGISLATOR CARACCILO:**

Because that's exactly what I said, the nuances. Allan and I had this conversation.

**LEGISLATOR BINDER:**

I wanted it to be a little bit more specific, so that --

**LEGISLATOR CARACCILO:**

That's exactly right.

**MR. GRECCO:**

I had a conversation with Legislator Fisher, just in general, on all the programs, in terms of our prioritizing and this is probably going to be an appropriate to look at it.

**LEGISLATOR BINDER:**

Because the point is that we could, if we look at every single piece of property that all of us, whether it's your side, whether it's Legislator's side, individual Legislators and we all won't. We could put them all into a big list and we could put them all on the list and oversubscribe -- it would make this look like nothing. So we can continue to do that and continue to -- but that doesn't mean that everything should be bought, can be bought, it needs to be bought. So I think we need to do is to start getting a handle on what's most important.

**MR. GRECCO:**

Can I make a suggestion? The one program that seems to have worked, I would say without chaos, is the Greenways Open Space Program. We knew right from the start that we had forty to fifty million dollars worth of properties and I believe Legislator Fisher, when she headed the Greenways Committee recognized the need for prioritization. I believe you tasked Steve Jones, then Director of Planning to set a priority list. I can say from our standpoint, or is it maybe Legislator Bishop, I don't recall who but from the Division of Real Estate's logistical standpoint, it made our jobs easier because we worked from the top down.

**CHAIRMAN BISHOP:**

Can I --?

**MR. GRECCO:**

And perhaps you should pause on every program and create such a similar list and possibly pass the Planning Department to do so.

**LEGISLATOR ALDEN:**

Was it tabled? Was that seconded?

**CHAIRMAN BISHOP:**

We all agree, I guess, where we're heading. I just want to raise one issue. Nothing in is this 1230 is a new lot. Everything has previously been approved by this Legislature.

**MR. GRECCO:**

Yes, this is all Core.

**CHAIRMAN BISHOP:**

It's all Core Pine Barren. That program ran out.

**MR. GRECCO:**

Right.

**CHAIRMAN BISHOP:**

And you're saying what we didn't do in the last program, let's authorize to be done in this new program?

**MR. GRECCO:**

That's a question to ask yourself.

**CHAIRMAN BISHOP:**

Now my colleagues are saying, hold on, we don't necessarily want to do everything that we said we wanted to do previously and we want to prioritize.

**LEGISLATOR BINDER:**

No, what we're saying is --

**CHAIRMAN BISHOP:**

I don't know whether to move -- it comes without implication but you know, it's not just so easy.

**MR. GRECCO:**

I had a conversation with Mr. Sabatino and --

**MR. SABATINO:**

Legislative Counsel would have been fine.

**MR. GRECCO:**

Legislative Counsel, Mr. Sabatino, sorry.

**MR. GRECCO:**

And we concluded -- we concluded that if there are over -- approximately 3,000 acres left in the Pine Barrens Core and if we were to acquire it all, it may take the entire fund balance of the new program and we questioned whether, in fact, that was the goal of the Suffolk County Government to do so. That was question number one. Question number two, we raised was at the original time the Pine Barrens Act came in 1993, they did recognize that public funding would be insufficient to acquire all of the property. I guess they felt they would jump off that bridge when they came to it. Well, we're there. We have acquired the seventy five percent that was the original goal. What has not been addressed is what is to happen of the remaining twenty five percent. I mean clearly, we have led the efforts, the County of Suffolk has led the efforts in acquisition of Pine Barrens Core property. We own more Pine Barrens Core property than all other government entities combined. So the question is where are we going? Is it our will to continue to acquire Pine Barrens Core property with this new money, which you may say yes, maybe yes and you may say maybe no, we want it for someplace

outside. I mean, you also may say that we owe the people in the Pine Barrens Core a duty, since we told them you couldn't build on your property approximately eight years ago that we should make a fair offer to them. So I think you have --

**CHAIRMAN BISHOP:**

Solely our obligation? Or the State or the towns?

**MR. GRECCO:**

I think, Mr. Sabatino will agree with me that it is not solely our obligation. We believe the State of New York has an equal obligation. Maybe you can elaborate since I wasn't here in '93.

**MR. SABATINO:**

I was about to say was that we did not tell the Core owners if the property couldn't be developed. That was the 1993 State Pine Barrens Legislation. So that was the State Legislature that made that determination and should be committing the resources. The County, to its credit, has stepped forward with what I call a moral obligation as opposed -- a moral commitment as opposed to a legal obligation. A moral commitment is different from a binding legal obligation. Mr. Grecco has accurately laid out what the parameters of the issue are. If you pass these two resolutions, this one resolution rather, you've basically taken all of the new Quarter Percent Pay As You Go Money and you've committed it to land that can't be developed anyway.

**CHAIRMAN BISHOP:**

Authorizing a purchase does not necessarily mean that the committee and it -- it was the system that we had up until this last Quarter Cent ran out and now that we're renewing it, everybody suddenly is indicating that it's an inappropriate system that they wanted a prioritization, they want to cull some of these out. And I think that's the significant change in policy, however, I can hear my colleagues, the majority --

**LEGISLATOR FISHER:**

Prioritizing doesn't necessarily mean excluding.

**CHAIRMAN BISHOP:**

Well no, I heard speeches saying exclude some, so --

**LEGISLATOR CARACCILO:**

Well, the final point I'd like --

**LEGISLATOR FISHER:**

I did not say exclude. When we discussed prioritization, it was prioritization, not exclusion, okay and I think that's a very important distinction.

**MR. GRECCO:**

And we'd like to see the same parameters utilized as we did in the Greenways Open Space Program, which I think -- I thought worked very well.

**CHAIRMAN BISHOP:**

Is that what you're going to do? If we table this, you're going to come back with a list using that criteria?

**MR. ISLES:**

Well, I think, we'd certainly like to propose that for the new program, the new Quarter Percent Program.

**LEGISLATOR CARACCILO:**

The thirteen-year program.

**MR. ISLES:**

And that was a very simple ranking system. It was very helpful. As far as the resolution

before you the 1230, those are all within the course. They've already been ranked as somewhat high by that standard. If you'd like us to further segment it and somehow try to differentiate the two, we could --

**CHAIRMAN BISHOP:**

Wait, wait. I thought we were only talking about those within 1230, which are the ones that were previously approved, large lot and small lot program and now the Legislature is balking at providing a blanket renewal and saying go back and prioritize before we renew.

**LEGISLATOR BINDER:**

Mr. Chairman?

**CHAIRMAN BISHOP:**

Because that's essentially what I'm hearing, right?

**LEGISLATOR CARACCILO:**

Well that's -- that's, I think, that's correct. That's a fair representation of what you're hearing. But there's another aspect here that I want to address because that brings us back to resolutions that have been approved by the Legislature that are pending acquisition, pending funding. And Mr. Grecco has informed me and I assume he's informed others that even though we have authorized acquisitions, he does not have funding in place. Again, thanks to -- being depleted, to make those acquisitions.

**MR. GRECCO:**

I have them in various stages of either acceptances or contracts out or contract sitting in subject to funding. I think those matters where I have acceptances and I'm ready to go, I'd like to utilize funding.

**LEGISLATOR CARACCILO:**

You'd like to utilize funding but you don't have all of the funding you need.

**MR. GRECCO:**

Exactly.

**LEGISLATOR CARACCILO:**

Okay. So that's why I've made this motion to table 1230 along with the other reasons cited. Let's move the motion?

**CHAIRMAN BISHOP:**

Legislator Binder, you wish to --

**LEGISLATOR BINDER:**

There's not enough money to buy all of the land, not that he just needs. All of it that all of us would put forward in all of our districts and all of the program. I mean, the bottom line is we can't buy everything. That's what it comes down to. We're realizing that now and I understand Legislator Bishop talking about a fundamental shift but maybe there is a bit of a shift because there's more land than I've ever seen being asked for, requested by Legislators, let alone the program through other methods. I've never seen as much land being -- attempted to be acquired by either Legislator. So the taxing on the system just -- that we're taxing the system also. Then we're saying to them, please come forward and pick which Legislators we're going to be there for, okay! I mean that's the problem here is, we're also putting pressure on the system and when you say and when you say the question of whether we're excluding, well there isn't necessary exclusion, because those that are not at the top of the list when something is oversubscribed will be excluded just because there's no money to buy them.

So that's why a priority in -- we're not saying exclusion, we're saying almost through a necessary process. I think we have to start taking a better look since there's so much {oversubscription}. There's just so much money and there's so much land and everybody is trying to get in under the wire to see if they could beat each other to the punch. Let me get my land before the money runs out is what's going on here and that's not what I would call a

process of making sure we get the best land for the best buck in the interest of the people of Suffolk County. That's a problem.

**CHAIRMAN BISHOP:**

I'm going to call a vote on this. I'm going to take my Chairman's prerogative to have the last word and say that the system has always utilized {oversubscription}. It's used it as a tool to try to drive down prices the that we pay. So if you are too specific and too -- and use your scalpel too well, you'll end up defeating yourselves.

**LEGISLATOR FISHER:**

Well that's why you don't want to exclude.

**CHAIRMAN BISHOP:**

Okay. Anyway on 1230 motion to table by Legislator Binder, second by Legislator -- excuse me, Legislator Caracciolo, second by Legislator Alden. All in favor? It does not matter. All in favor? Opposed? List me as opposed. Legislator Guldi is opposed.

**I.R. NO. 1230 Authorizing acquisition of environmentally sensitive lands to be acquired with current funding pursuant to Article XII of the Suffolk County Charter. (County Executive)**

**VOTE: 5-2-0-0 tabled**

**CHAIRMAN BISHOP:**

1231 approving acquisition under Suffolk County Land Preservation Program.

**LEGISLATOR GULDI:**

I would ask that you include me with the majority 1221.

**CHAIRMAN BISHOP:**

You're added in the majority on 1221.

**CHAIRMAN BISHOP:**

1231 approving acquisition under Suffolk County Land Preservation Program, Town of Riverhead.

**LEGISLATOR CARACCILO:**

Yes, Mr. Chairman. This is a landmark resolution in that the Town of Riverhead is joining with the County for the very first time in any of our fifty, fifty, seventy, thirty Environmental Protection Programs and I want to congratulate them for doing so and recommend its approval.

**CHAIRMAN BISHOP:**

This is a developed property?

**LEGISLATOR CARACCILO:**

No, right now it's vacant land. It's 3.7 acres of vacant land, Miamogue Point, located in the Hamlet of Jamesport right on the Peconic Bay.

**LEGISLATOR GULDI:**

Second the motion to approve.

**CHAIRMAN BISHOP:**

Okay, on the motion --

**MR. GRECCO:**

May I?

**CHAIRMAN BISHOP:**

Yes.



**MR. GRECCO:**

Just one quick sentence.

**CHAIRMAN BISHOP:**

Sure.

**MR. GRECCO:**

As I've said on other matters, this program like others is oversubscribed and I have a two million-dollar budget line for this, which has not been appropriated. I believe, just to be a little forward looking, you should consider that we've going to need the 2001 appropriations under Land Preservation Partnership, if we're going to have this or other acquisitions actually take place.

**LEGISLATOR CARACCILO:**

Okay. Counsel, how do we accomplish that?

**CHAIRMAN BISHOP:**

Hold on, I just want to understand what you're saying? You're saying in the 2001 Operating Budget there's a two million-dollar line for Land Partnership Preservation?

**MR. GRECCO:**

It's not been appropriated yet.

**CHAIRMAN BISHOP:**

You have forwarded a bill?

**MR. GRECCO:**

We're preparing a bill for --

**CHAIRMAN BISHOP:**

Admonishing us for something that was said before so --

**LEGISLATOR BINDER:**

While you're doing that, can you give us an idea? You don't have to do it now. But in Executive Session something, so we have an idea of what you have in the pipelines, so we understand what we're appropriating it for?

**MR. GRECCO:**

Sure.

**MR. ISLES:**

If I could just add to that too? The Town Board of the Town of Riverhead has submitted a resolution in relation to this parcel but they have indicated, obviously support for it but also that they're intending in the future to put in a bathroom, comfort station to operate it as a public beach. Under that condition, it may be worth considering this under the active recreation portion of the Greenways Program.

**LEGISLATOR CARACCILO:**

No, we explored that. We've been there. In fact, I think, you have some old data. We went from -- I originally submitted this request as active parklands, subsequently after consulting with the Supervisor and others, we decided that they wanted to share in the cost.

**MR. ISLES:**

Right.

**LEGISLATOR CARACCILO:**

See this is one of those occasions where they said, we'll give you fifty percent. You don't have to pay a hundred, so I think we should take it.

**MR. ISLES:**

Okay, we read the resolution and we saw that, so we thought we'd bring that to your attention. The second thing is a very minor issue with one of the tax map numbers that we would suggest to be corrected.

**LEGISLATOR CARACCILOLO:**

Is it a scrivener's error?

**MR. ISLES:**

Yes.

**LEGISLATOR CARACCILOLO:**

Okay. Could you just inform us what the error is?

**MR. ISLES:**

Parcel number two, which is section 92, block 4 and it's lot 5, is what it should be.

**LEGISLATOR CARACCILOLO:**

Instead of -- lot 5 instead of?

**LEGISLATOR FISHER:**

4.005?

**MR. ISLES:**

0.9 I think it is.

**LEGISLATOR CARACCILOLO:**

Okay. We'll make that notation and correction, counsel?

**MR. SABATINO:**

Okay.

**LEGISLATOR CARACCILOLO:**

Thank you Mr. Isles. Motion to approve.

**CHAIRMAN BISHOP:**

Approved by Legislator Caracciolo, second by Legislator Guldi. All in favor? Opposed? 1231 is approved. One abstention. Legislator Fisher abstained.

**I.R. NO. 1231 Approving acquisition under Suffolk County Land Preservation Partnership Program, Town of Riverhead. (*Legislator Michael Caracciolo*)**

**VOTE: 6-0-1-0 APPROVED**

**LEGISLATOR BINDER:**

Would this be part of Peconic County, which I hear is now on the move again?

**LEGISLATOR CARACCILOLO:**

Thanks to you.

**CHAIRMAN BISHOP:**

Out of order. 1232 making a SEQRA determination in connection with the proposed improvements to Sewer District Number 15, Nob Hill, Hauppauge, Town of Islip.

**LEGISLATOR CARACCILOLO:**

Explanation?

**MR. SABATINO:**

Can we just go back to that resolution again? What change did you say to make on the tax map? I'm trying to reconcile this.

**LEGISLATOR FISHER:**

Lot 5 instead of lot 4.

**MR. SABATINO:**

Because my copy says lot 5.

**LEGISLATOR CARACCILO:**

I think Tom you have an old --

**MR. ISLES:**

That could very well be since the comfort station --

**LEGISLATOR CARACCILO:**

I think you have the copy that was under the active parklands.

**MR. ISLES:**

Okay.

**LEGISLATOR CARACCILO:**

And subsequently that correction was --

**LEGISLATOR FISHER:**

Mine is March 13th and it said lot 4.005. It's dated here.

**MR. SABATINO:**

There are two lots.

**LEGISLATOR CARACCILO:**

There are two different resolutions also. So that's why I think the confusion is. One was acquisition under active parklands and one is under land preservation and the copy that we are referring to here has lot 004.005, which is the correct lot. That's the incorrect lot.

**MR. SABATINO:**

We have tracks what the town sent us in the Town Resolution, which is two lots. Lots -- it says right here, it's got lot 005.

**LEGISLATOR CARACCILO:**

Okay, now I understand. Okay.

**MR. SABATINO:**

Again, what was the question on the next?

**CHAIRMAN BISHOP:**

1232 of the SEQRA determination. Legislator Caracciolo would like an explanation.

**MR. SABATINO:**

What happened was two weeks ago or three weeks ago, in this committee, we had the recommendation from CEQ. It was approved by this committee to deal with the Nob Hill Sewer Improvements as a Type 2 because it's replacing and rehabilitating equipment at the Sewer District. This is now the formal resolution to adopt that.

**LEGISLATOR CARACCILO:**

Okay.

**MR. WRIGHT:**

If there are any questions, I'll be glad to answer.

**CHAIRMAN BISHOP:**

Motion by Legislator Caracciolo, second by myself. All in favor? Opposed? 1232 is

approved.

**I.R. NO. 1232 Making a SEQRA determination in connection with the proposed improvements to Sewer District #15 - Nob Hill, Hauppauge, Town of Islip. (Presiding Officer Paul Tonna)**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

1253 appointing member to the Council on Environmental Quality.

**LEGISLATOR CARACCILOLO:**

Motion approved.

**LEGISLATOR FISHER:**

Second.

**CHAIRMAN BISHOP:**

Motion to approve by Legislator Caracciolo, second by Legislator Fisher. On the motion. I'm sure this nomination is going to be approved because of the quality of the individual who has been nominated. However, I will not support it, not as a statement on Mr. Mallamo, but because I feel that the relationship, as the Executive Director of the Vanderbilt Museum doesn't provide him the necessary independence to give me a comfort level. It's no reflection on him. He's a terrific Executive Director but I don't think that it's appropriate to be on the CEQ as well. Motion by Legislator Caracciolo, second by Legislator Fisher. All in favor? Opposed? List me as an abstention please.

**I.R. No. 1253 Appointing member to the Council on Environmental Quality. (Lance Mallamo) (Legislator Michael D'Andre)**

**VOTE: 6-0-1-0 APPROVED**

**CHAIRMAN BISHOP:**

Okay 1257 authorizing planning steps for acquisition under Suffolk County Land Partnership Preservation Program.

**LEGISLATOR CARACCILOLO:**

On the resolution, motion.

**LEGISLATOR GULDI:**

It's planning steps.

**LEGISLATOR CARACCILOLO:**

I understand. You were out of the room, George.

**CHAIRMAN BISHOP:**

There are three resolutions on Hilarie Woods in the Town of Huntington, 57, 58 and 59. 57 is planning on the Partnership Program, 58 is active recreation in Greenways and 59 is the Quarter Cent Program.

**LEGISLATOR CARACCILOLO:**

Yes. The reason for the tabling motion, Legislator Guldi is why you were temporarily out of the room there was a discussion by the committee members and Mr. Grecco with respect to the Land Partnership Program and in Environmental Programs, in general and in perhaps preparing some type of priority list. Because is it fair to say they are all oversubscribed just about, with the exception of farmland?

**MR. GRECCO:**

Including farmland, yes.

**LEGISLATOR CARACCILO:**

Well, under present funding, one hundred percent funding, we're over subscribed. But not seventy, thirty.

**MR. GRECCO:**

Oh, we're way over subscribed on seventy, thirty.

**LEGISLATOR CARACCILO:**

For farmland?

**MR. GRECCO:**

Yes.

**LEGISLATOR CARACCILO:**

You're talking South Fork.

**MR. GRECCO:**

I'm talking Countywide. Every town made submissions to us earlier for approval of potential seventy, thirty, farm sites.

**LEGISLATOR CARACCILO:**

Oh, potential that's the case, okay.

**MR. GRECCO:**

May I comment on these three? These three resolutions you have before you mirror the Benjamin property where we blended three funding sources to make an acquisition. However, I draw your attention under 1257, again, I have the Preservation Partnership Funding problem.

**LEGISLATOR CARACCILO:**

Right.

**MR. GRECCO:**

Under 1258, under active Greenways, I presume I have sufficient funding in there but that fund also, you only gave me ten million dollars and we're going to have to request an additional ten million dollars to make the total twenty. Under the last 1259, I don't believe Huntington has sufficient monies in their 125E account.

**MR. SABATINO:**

This is the new Quarter Percent.

**CHAIRMAN BISHOP:**

Points well taken, but this is planning steps. And whether it's Legislator Haley's planning steps or Legislator Cooper's, as a general proposition, we've always approved planning steps because it provides the flexibility to negotiate the best deal and then we can cast on whether we actually want to move forward and fund it.

**LEGISLATOR FISHER:**

Right.

**LEGISLATOR CARACCILO:**

Let me --

**LEGISLATOR FISHER:**

I'll second it.

**LEGISLATOR BINDER:**

Would counsel advise that we do planning steps in three different programs or should we pick one? I'm asking you, in terms of, I don't know if counsel or --

**CHAIRMAN BISHOP:**

I think it puts any --

**LEGISLATOR BINDER:**

I don't know if it makes a difference. I don't know.

**CHAIRMAN BISHOP:**

You don't have to get separate appraisers for each one, right?

**MR. GRECCO:**

No, we would probably just get one appraisal for the entire property. What we do do is we have to allocate certain portions of property to see that it has relative value to the amount of funding under each program. So that's where --

**CHAIRMAN BISHOP:**

Later on though.

**MR. GRECCO:**

That's later on.

**CHAIRMAN BISHOP:**

The point is it's planning steps, it's just --

**MR. GRECCO:**

Legislator Binder, we're just going to get one appraisal.

**LEGISLATOR BINDER:**

The only question I have then is on 1258 with it being active parklands. Active parklands under Greenways would be some kind of park or I don't know if any of you have ever seen this. It's across the street. My district is actually just across the street from this. The dividing line between mine and Legislator Cooper's district is Park Avenue, which is the road that this is on. I can tell you that when they say in the letter here that this rises 200 feet rather quickly, it does. I don't know, unless it's a toboggan hill and you just have to get out of the way of the trees. There's a lot of trees there. I don't know what they're going to do on this as active parkland. So I would tell you -- I would say and it's inappropriate. It's right on the main drag as active parkland. People who want to park, if it was some kind of park, people would want to have some kind of parking area or something or park along Park Avenue. So I think it's absolutely, totally, inappropriate on 1258. So I would support 1257 and 1259 but I cannot support 1258. It doesn't make any sense and to put it in there, it kind of makes a mockery of the process that we're just throwing it in there to see if we can get something to stick to the wall.

**MR. GRECCO:**

We need the town to come forward. Remember this is just an acquisition fund. The town would have to come forward with maintenance, stewardship, etc.,

**LEGISLATOR BINDER:**

I agree but I don't think the Legislature even wants to make -- put forth a proposition that we'd be interested in entertaining, even planning or entertaining. How the active parklands are utilizing it for a property that looks like this, it is absolutely impossible for it to be active parklands and has no parking and no ability for people to stop and use it as an active parkland. So while I strongly support 1257 and 1259, 1258 seems inappropriate and just not right for the Legislature to put that forward as an alternative or a possibility, even though it's just planning steps.



**MS. FISCHER:**

Can I just make a comment? I spoke with the Town of Huntington just last week and Margo Miles from their Planning Department had asked me if passive trails could be considered under active recreation and it's -- they're grappling with this with other parcels that we could --

**CHAIRMAN BISHOP:**

Caracciolo Church.

**MS. FISCHER:**

So --

**LEGISLATOR BINDER:**

We'll have a ski tow. I don't know how -- I mean this is really --

**CHAIRMAN BISHOP:**

A trail through a bunch of woods.

**LEGISLATOR CARACCILO:**

Same standard for every town. It has to be active.

**CHAIRMAN BISHOP:**

Okay. 1257 motion to approve by myself, second by Legislator Binder who's advocacy is well noted, second by myself. All in favor? Opposed? Approved.

**I.R. NO. 1257 Authorizing planning steps for acquisition under Suffolk County Land Preservation Partnership Program. (Property at Park Avenue, C.R. 35, Hilarie Woods) Town of Huntington. (Legislator Jon Cooper)**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

1258.

**LEGISLATOR BINDER:**

Motion to table.

**CHAIRMAN BISHOP:**

Motion to table by Legislator Binder, second by Legislator Caracciolo.

**LEGISLATOR GULDI:**

Motion.

**CHAIRMAN BISHOP:**

Legislator Guldi wishes to be heard.

**LEGISLATOR GULDI:**

On the motion. With respect to -- yes, the concerns articulated by the neighboring Legislature as to the suitability of the parcel for active recreation being noted, at least, visavis the hill against the road. But I don't -- you know the sponsor wants the parcel, well parts of the parcel, including the opposite side of the parcel or other portions of the parcel to be considered and assessed for inclusion in the Active Recreation Program. You know, if there is any portion of the parcel that might be suitable for some active recreation, the division should look at it and consider it.

**LEGISLATOR BINDER:**

Let me explain. There is none. It's right in a residential area. There are houses that abut the area on both sides of it and all you see, if you just stand on Park Avenue, you will look at

it, it goes straight up and it's woods. That's all it does. It goes straight up and back in a steep incline with a lot of trees. It's a nice area. I think it's more that people in there want nothing to happen to it and that's understandable. It makes a lot of sense. But I can tell you, other than a toboggan trail, you have to watch out for the trees. It's not where we both -- for anything.

**LEGISLATOR FISHER:**

Well there are other points of scrutiny here. If we were to approve it, we would need the plan from the town to be approved by CEQ before it even comes back to us for further approval. So I would agree with Legislator Guldi, not knowing the parcel myself and taking your comments under consideration. I don't know what the entire parcel looks like. There may be more to it than you see and at some point it would be rejected, if it's not a usable parcel.

**CHAIRMAN BISHOP:**

This is a moot argument. Once you pass one, you pray until the planning steps go forward. So if, you know, if Legislator Binder whose district it is, feels it's inappropriate, it's not going to stop Legislator Cooper's initiative from moving forward. So I'm going to side with Legislator Binder, call the vote. All in favor of tabling, myself, again Legislator Fisher, Guldi and Fields. It's tabled.

**I.R. NO. 1258 Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands at Park Avenue, C.R. 35, Hilaire Woods. (Town of Huntington) (Legislator Jon Cooper)**

**VOTE: 4-0-3-0 TABLED**

**CHAIRMAN BISHOP:**

Next one is 1259. Motion by Legislator Binder, second by Legislator Fisher.

**LEGISLATOR CARACCILO:**

On the motion?

**CHAIRMAN BISHOP:**

On the motion.

**LEGISLATOR CARACCILO:**

Allan, can you share with the committee where we stand already in this very New Year in committing un-collected tax revenues for this program 1259? As I recall, at the last Legislative Meeting, Legislator Tonna had a resolution approved that commits new funding and I thought -- I seem to think there might have been one previous to that. So there are already two out of the gate this year. What do we expect to collect this year in open space, which is a thirteen point five percent or thereabout component of the Sales Tax Extension Program? I don't want to guess. I think it's seven or eight million dollars.

**MR. GRECCO:**

The projection was about seven or eight million but that may change based upon --

**LEGISLATOR CARACCILO:**

It may be less than that.

**MR. GRECCO:**

It may be.

**LEGISLATOR CARACCILO:**

It looks like right now it's going to be less than that. Based on what you know, because those properties were located in the Town of Huntington, which has very high property values. Are we approaching a point where we are already exceeding that projection of seven or eight million dollars?

**MR. GRECCO:**

I would say yes and you also have another one, I think, in here called {Deager}.

**LEGISLATOR CARACCILO:**

So what was your comment? Allan, what was your comment?

**MR. GRECCO:**

{Deager} I believe was also in the Town of Huntington, which is already approved and I believe that has a sizable price tag as well. So we are already exceeding, just so Legislators know and they sit here and they say oh well, it's only planning steps. We're going to be looking at the situation we discussed earlier with 1230, where you're coming to us and saying well, folks you told me to go out there and do the planning steps, I did that. I know have a willing seller. They want us to come up with the money and we don't have the money and we all know about -- it's well known now that the County has some financial stresses this year.

**CHAIRMAN BISHOP:**

At our next meeting, it's time for our -- we do it about four times a year. We review the programs and where we're at with them, in terms of funding and authorizations.

**LEGISLATOR CARACCILO:**

He's told us already Dave that there are --

**CHAIRMAN BISHOP:**

We'll do land partnership preservation and we'll do the Quarter Cent next meeting. Legislator -- let's just call a vote on this one. 1259 all in favor?

**LEGISLATOR CARACCILO:**

Motion to table.

**CHAIRMAN BISHOP:**

Motion to table by Legislator Caracciolo. Is there a second? No second. All in favor of 1259 for approval, Legislator Binder's --

**LEGISLATOR CARACCILO:**

Opposed.

**CHAIRMAN BISHOP:**

Legislator Fisher seconded it. One against. All right.

**I.R. NO. 1259 Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program. (Land at Hilaire Woods, Town of Huntington) (Legislator Jon Cooper)**

**VOTE: 6-1-0-0 APPROVED**

**LEGISLATOR ALDEN:**

Mr. Chairman?

**CHAIRMAN BISHOP:**

At this time, Legislator Alden is recognized.

**LEGISLATOR ALDEN:**

We have -- it's live in this committee but it's also alive in the next committee, the Budget Committee, which is now about a little over and a half later, whatever it is. Resolution number 1125 but we do have two gentlemen from the Water Authority. If we could hear their brief testimony on it? They have to get going.

**CHAIRMAN BISHOP:**

1125 is on the last page of your agenda under tabled non-prime. It's transferring funds for

the removal of iron from drinking water. Legislator Alden, your proposal essentially is for the County to remove iron from pipes that are on dead-ends?

**LEGISLATOR ALDEN:**

Actually what it does, this would provide money. The Suffolk County Water Authority has no plans right now to eliminate these dead ends. This would be almost like a Pilot Program where we would eliminate the dead-ends and we can go pretty far in eliminating almost all the dead-ends in Suffolk County with the fifty thousand dollars and what that does is it eliminates a problem of -- there's iron and there's also some connection. There has been some testimony at some of these dead-ends, we find clusters of breast cancer and other types of cancers and by eliminating the dead-ends, we would be eliminating that type of build up of whatever toxic type elements are stopping at those dead-ends. So that's why I propose this Pilot Program, a one shot deal. And at the last meeting that we had, there was some indication that there were some questions and we would like to have representatives from the Water Authority come down and just indicate what they would do with the money and how far we'd go and things like that.

**CHAIRMAN BISHOP:**

The question is if you guys are giving people cancer, why aren't you paying for changing the dead-end?

**MR. JONES:**

If I could just introduce one of the five Directors of the Suffolk County Water Authority, Jim Tripp. He's a Chief Counsel to the Environmental Defense Fund. He lives in Bellport. He'll take one minute to tell you what we are doing in the overall scheme of things and I will take one minute to talk to you about the specifics and we'll be out of your way.

**DR. TRIPP:**

Thank you very much. The general concern here is iron and probably the years that I've been on the Board of the Suffolk County Water Authority that's been the number one for quality concern. It's not a health concern. It's a color concern. The Water Authority did start experimenting with it and then putting in place iron removal plants about three years ago. So far it has built ten of them, I believe. They cost about a million and a half-dollars each and there are eight more on the drawing boards. So that should -- on a macro scale that program which is underway and is being funded by the Water Authority, should take care of a large portion of the iron complaints that are real that we're very concerned about. It doesn't take care of all of them and that's what this program that Steve Jones is going to talk about.

**MR. JONES:**

What it is is that we would handle and we handle a lot of this in the normal course of our business, one point five million each. We spent fifteen million so far. We're going to spend another twelve million. That takes the iron out as it's coming out of the ground at the well head. Once it's out in the distribution lines, we can get rid of it by flushing out the lines but there are -- I'm going to give you this list right now of seven locations where we want to spend the fifty thousand dollars to take maps where we want to take -- we wouldn't normally be spending Water Authority funds to do this but this is going directly to constituents, your constituents and our customers concerns about continuing and recurring iron problems that they have with their clothes getting stained or with having to see the iron in their water or something like that. So we felt that this was a good way to spend a small sum of money to help out a large number of people in a way that we wouldn't normally help them out because these are locations where there aren't any more houses to be built and no developer is going to come in to pay to extend the water lines. We're just going to have to keep going out there and flushing the lines out as often as we can get out there to do so. If we can make a small connection of a hundred feet or a hundred and fifty feet to connect the line up, then just the circulation of the water going through the adjacent pipes and going now through not being a dead-end anymore. We believe we'll be able to cut down substantially on the number of rust complaints.

**LEGISLATOR FIELDS:**

Can I ask?

**CHAIRMAN BISHOP:**

Legislator Alden was first and then Legislator Fields and then you. Legislator Fields, sorry about that. Ginny?

**LEGISLATOR FIELDS:**

I'm waiting for Steve.

**CHAIRMAN BISHOP:**

Oh, Steve.

**LEGISLATOR FIELDS:**

Can I ask you where the seven locations are exactly?

**MR. JONES:**

We're passing them around right now. Generally, most of our rust complaints are along the South Shore. It's naturally occurring iron that we pull up out of the ground. Whether it's like a thousand years old and it just has iron in it and it's principally on the South Shore. So we have a number of problems throughout the South Shore. This is not all of the problem areas. We picked out the ones that had basically the most complaints associated with them and to try to go for those first. And has been my custom; I put the Legislative District next to the locations to make it easier for you to see.

**LEGISLATOR FIELDS:**

Thank you.

**LEGISLATOR CARACCILO:**

Steve, what other areas would be affected in a similarly situation that would have this problem?

**MR. JONES:**

It would be more of the same. In other words, it would be -- there are a number of locations throughout -- along the southern tier of the Town of Babylon, as well, we have complaints.

**LEGISLATOR CARACCILO:**

Is it limited to the southwest quadrant of the County?

**MR. JONES:**

I wouldn't say it's limited but that's where -- if the maps that I had given, I had given Henry Barton about seven or so copies of maps and I'd be happy to give them directly -- mail them directly to you if you want to see them. Where all of our rust complaints are there is a dot on the map. So you can see where all of the rust complaints are that we've gotten in the last few years. You'll see the bulk of those clusters of dots are in the southern portion of the Town of Islip and the Town of Babylon.

**LEGISLATOR CARACCILO:**

Doctor Tripp, I don't want to put words in your mouth, so maybe you could just amplify or respond to Legislator Alden's comments about cancer clusters and drinking water. Are there any cause and effect relationships that the Water Authority or anyone in government is aware of with drinking water in Suffolk County?

**DR. TRIPP:**

Not that I'm aware of. I did serve on the National Drinking Water Advisory Council for three years. The Water Authority does seventy or eighty thousand tests a year, has a state of the art laboratory, probably as good a drinking water laboratory as any in the country and all of our water is well, well, below all State and Federal standards. So we have no reason to

believe, based on the data that we have about the water that we distribute that it would cause any kind of a cancer problem.

**LEGISLATOR CARACCILO:**

Thank you.

**DR. TRIPP:**

That's based on current science, current data. Iron is not as far as --

**CHAIRMAN BISHOP:**

Do you support or oppose the resolution?

**MR. JONES:**

We support the resolution and I'm giving you locations.

**CHAIRMAN BISHOP:**

If you support the resolution, why doesn't the Water Authority pay for it?

**MR. JONES:**

It's your resolution. If you don't want to give us the money, you don't have to give us the money.

**CHAIRMAN BISHOP:**

If we don't give you money, you wouldn't undertake the project?

**MR. JONES:**

Say again?

**CHAIRMAN BISHOP:**

If we didn't provide the resources, the project would go, it wouldn't occur?

**MR. JONES:**

That's correct.

**CHAIRMAN BISHOP:**

But you support the project.

**MR. JONES:**

Yes.

**CHAIRMAN BISHOP:**

Okay.

**LEGISLATOR CARACCILO:**

But in terms of your support, you don't support it financially? You won't that far because you really don't think it's necessary?

**MR. JONES:**

No, we do have to run ourselves as a business and we do have to justify extending water mains and there have to be revenues associated with the extension of every one of our water mains. Those revenues usually come from the homeowners and developers. These are locations where there are no homeowners and developers. We will go out there and we will continue to flush the lines out as best as we can. This is a one shot way to get rid of dead-ends.

**LEGISLATOR ALDEN:**

Mr. Chairman?

**LEGISLATOR CARACCILO:**

But that's only the beginning. Because it is a Pilot Program and I think the concern that



some Legislators have --

**LEGISLATOR ALDEN:**

It's labeled it as a Pilot Program. That's maybe a misconception of what it is. It's a one shot, I also said that so --

**LEGISLATOR CARACCILO:**

Well, I understand what the sponsor is saying but from your perspective, you've indicated there are a number of these locations in the Town's of Babylon and Islip and I don't want to characterize it for you. What is the total amount? How many does this represent out of the total? One percent, ten percent?

**MR. JONES:**

I'd say out of the dead-ends, maybe about ten percent.

**LEGISLATOR CARACCILO:**

Okay, thank you.

**LEGISLATOR ALDEN:**

Mr. Chairman? Just a follow-up on what Legislator Caracciolo started to go down. Has there been any point where the Suffolk County Water Authority has had to negotiate with owners of property they're on and of dead-end mains, whereby they had either toxic type of water or situations where inexplicably all their water lines would rot out? Their water sprinkler systems would clog and rot out. Heating systems would rot out and where there was an allegation of cancer and cancer clusters, has there ever been any negotiations with people like that? And I'm not going to mention names but I do have names, if we need to do that.

**MR. JONES:**

There are no toxic substances in our pipes, I'd say flat out. We don't have toxic substances in our pipes.

**LEGISLATOR ALDEN:**

Well actually, you know, not that I'm trying to make an allegation that the Water Authority is -- there is toxic substances in all of our drinking water. It's below the acceptable levels. So aside from that and maybe I misstated what I was trying to state. There has -- well I'm asking. Negotiations have been conducted or have there been negotiations conducted with people that are at the end of these water mains, whereby water has been alleged to be at the root of total corrosion, total failure of all the water type systems in their houses? And also an allegation where there has been allegations of cancer clusters at these water -- these dead-end water mains.

**MR. JONES:**

Well, I can tell you that people make allegations all the time and send us letters all the time alleging that certain things are occurring as a result of them drinking our water. I can't think of an instance, I've not been with the Authority that long but I cannot think of an instance where the allegation turned out to be true.

**LEGISLATOR ALDEN:**

You haven't settled with anybody where the water -- it's been an allegation that the water was causing these corrosion problems in their houses?

**MR. JONES:**

We've settled with people on -- regarding and paid them money to clean up their laundry and such, when they were stained with iron. We've done that on many occasions.

**LEGISLATOR ALDEN:**

Corrosion on systems, water systems?

**MR. JONES:**

Not in the cases of corrosion, I wouldn't say, no.

**LEGISLATOR ALDEN:**

Because I'll give you the names then.

**CHAIRMAN BISHOP:**

I just want -- does anybody have any further questions? I do. You support the resolution because dead-ends are a problem? Or they are not a problem?

**MR. JONES:**

Dead-ends are a problem and I would say most of them we're able to solve just by routine water main extensions because of the fact that a developer comes along or --

**CHAIRMAN BISHOP:**

You support the resolution because the problem would be alleviated by the solution proposed in the resolution?

**MR. JONES:**

Yes.

**CHAIRMAN BISHOP:**

But the Water Authority will not pay for it.

**DR. TRIPP:**

Can I just make a comment? My understanding is that this resolution came up because a former member of the Legislature, you know, wanted to spend this kind of money on trying to solve this kind of problem. As far as iron is concerned, the major priority of the Water Authority we're spending, I said and Steve said, a huge amount of money in trying to take care of the very large bulk of the major macro problem, which is building these iron removal plants.

**CHAIRMAN BISHOP:**

You're acknowledging that this micro problem exists?

**DR. TRIPP:**

That's right.

**CHAIRMAN BISHOP:**

And you're acknowledging that the solution is found in what's proposed. It's your system, yet you without shame say okay, give us the money and we'll take it. I'm sure we will give you the money because who is going to vote against it but I --

**DR. TRIPP:**

We didn't initiate this, I don't think.

**CHAIRMAN BISHOP:**

Search within your agencies souls, your Authority soul and say is this right?

**DR. TRIPP:**

We didn't initiate this. This -- from my point of view, as a board member, we're going to take care of problems as they come up as best we can. This -- you're approving this resolution would in all likelihood accelerate the solution to this specific problem with these --

**LEGISLATOR CARACCILO:**

I'm going to make a motion Mr. Chairman, to defer to prime.

**CHAIRMAN BISHOP:**

Motion to defer to prime by Legislator Caracciolo, second by Legislator Guldi.

**LEGISLATOR GULDI:**

I won't ask any more questions. I'm on the prime committee.

**CHAIRMAN BISHOP:**

The prime committee follows this committee, so we'll deal with it there. Any further questions?

**LEGISLATOR FISHER:**

I just had a question for counsel just as far as a definition, a very short question. Counsel, Paul? Can a Pilot Program -- I heard Legislator Alden say that this was a Pilot Program but he said that it was a one shot. I'm trying to define the terms?

**MR. SABATINO:**

I think that what he is articulating is the notion that there's only fifty thousand dollars. Fifty thousand dollars will only cover the seven sites that are mentioned. If the seven sites are successfully concluded, there would be the ability for the Legislature at a future time to fund something subsequent. So it's Pilot from the standpoint that there's clearly not -- fifty thousand dollars will not deal with the five hundred thousand dollar problem that Mr. Jones identified. It will deal with seven sites. If the seven sites worked, you'd have the ability to go back and do more.

**LEGISLATOR FISHER:**

Well, there are many more sites. Okay.

**CHAIRMAN BISHOP:**

Mr. Jones, can you tell me when the appropriate time for the Legislators from the South Shore to comment on the Water Authority Budget, so that we can make the case that perhaps the Water Authority itself wants to take care of this problem? When is your budget process?

**MR. JONES:**

We've completed our budget process for this year. It will come around again roughly in the early -- well, let's say, about January of next year. Our fiscal year starts June 1st.

**CHAIRMAN BISHOP:**

It runs June to June. Okay.

**LEGISLATOR CARACCILO:**

Mr. Chairman, along those lines to Mr. Jones, do you have the ability to amend your budget for the operating year?

**MR. JONES:**

Yes.

**LEGISLATOR CARACCILO:**

Okay, well that little part was just left out and that exchange, so you do have. And if you recognize this is most likely a cosmetic issue and something you'd like to do but you don't want to pay for doing. Fifty thousand dollars, in terms of your total budget, that is identified for these purposes would be how much money?

**MR. JONES:**

It's a drop in the bucket and that's why we said in the beginning that we've already spent fifteen million and we're going to spend another --

**LEGISLATOR CARACCILO:**

So what's fifty thousand more is my point.

**MR. JONES:**

It's just money that we wouldn't normally spend. We're going for - -

**LEGISLATOR CARACCILO:**

But you're saying to us, the Authority is saying to us, not you individually. If the County wants to spend it, come on in the water is fine.

**MR. JONES:**

You're making a suggestion as to how you could spend the money.

**LEGISLATOR CARACCILO:**

A lot of people who make suggestions on how we can spend money. Thank you.

**CHAIRMAN BISHOP:**

Thank you. Welcome back, Steve. CEQ Resolutions. We have a motion to defer to prime and was approved unanimously. You don't recall voting on that, do you?

**TABLED NON PRIME:**

- **I.R. No. 1125 Amending the 2001 Operating Budget and transferring funds for the removal of iron from drinking water. (CP 8203.510) ASSIGNED TO BUDGET AND ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Cameron Alden)**

**VOTE: 7-0-0-0 DEFER TO PRIME**

**CHAIRMAN BISHOP:**

Mr. Bagg.

**MR. BAGG:**

First CEQ Resolution 16-01 is the proposed SEQRA Classifications on the Legislative Resolutions laid on the table February 27 and March 13th.

**CHAIRMAN BISHOP:**

Motion by Legislator Binder, second by Legislator Guldi. All in favor? Opposed? 16 is approved.

**CEQ RESOLUTIONS:**

- **16-01 Proposed SEQRA Classifications of Legislative Resolutions laid on the table February 27, 2001 and March 13, 2001.**

**VOTE: 7-0-0-0 APPROVED**

**MR. BAGG:**

The next one is the proposed construction of a check in building at Cedar Point County Park, Town of East Hampton. Counsel recommends --

**LEGISLATOR GULDI:**

Motion.

**CHAIRMAN BISHOP:**

Motion and a second having been made. All in favor? Opposed? 17 is approved.

**17-01 Proposed Construction of a Check-in Building at Cedar Point County Park, Town of East Hampton, Type 11 Action.**

**VOTE: 7-0-0-0 APPROVED**

**MR. BAGG:**

18-01 is the same thing for Cupsogue County Park.

**CHAIRMAN BISHOP:**

Same motion, same second, same vote.

**18-01 Proposed Construction of a Check-in Building at Cupsogue County Park, Town of Southampton, Type II Action.**

**VOTE: 7-0-0-0 APPROVED**

**MR. BAGG:**

The next resolution is proposed reconstruction of Quogue Canal Bulkhead.

**LEGISLATOR GULDI:**

Motion.

**CHAIRMAN BISHOP:**

Bulkhead? Motion by Legislator Guldi, second by Legislator Binder. All in favor? Opposed? Approved.

**19-01 Proposed Reconstruction of Quogue Canal Bulkhead, South Side, Town of Southampton, Unlisted Action - Negative Declaration.**

**VOTE: 7-0-0-0 APPROVED**

**MR. BAGG:**

The next one is proposed reconstruction of Deer Lake Spillway.

**CHAIRMAN BISHOP:**

Motion by Legislator Binder, second by myself. All in favor? Opposed? Approved.

**20-01 Proposed Reconstruction of Deer Lake Spillway, C.P. #5376, Towns of Babylon and Islip, Unlisted Action - Negative Declaration**

**VOTE: 7-0-0-0 APPROVED**

**MR. BAGG:**

The next is the proposed Stotzky Park expansion. Active recreation, Greenways.

**CHAIRMAN BISHOP:**

Motion and second. All in favor? Opposed? 21 is approved.

**21-01 Proposed Stotzky Park Expansion, Active Recreation/Greenways, Town of Riverhead, Type I Action - Negative Declaration**

**VOTE: 7-0-0-0 APPROVED**

**MR. BAGG:**

22-01 is proposed replacement of Electric Feeder for Sewer District Number 18S in Hauppauge, Type II Action, replacement.

**LEGISLATOR CARACCILO:**

Motion.

**CHAIRMAN BISHOP:**

Second. All in favor? Opposed?

**22-01 Proposed Replacement of Electrical Feeder for Sewer District 18S-Hauppauge Industrial, Hauppauge, Town of Smithtown, Type II Action.**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

23.

**MR. BAGG:**

And 23 is the proposed removal and replacement of existing cable and lighting fixtures on Runway 6/24, Francis Gabreski Airport, Type II action.

**CHAIRMAN BISHOP:**

All in favor? Opposed? 23 is approved. Thank you.

**23-01 Proposed Removal and Replacement of Existing Cable and Lighting Fixtures on Runway 6/24, Francis Gabreski Airport, Westhampton Beach, Type II Action.**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

We now move to the tabled resolutions. 1181 is appropriating funds in connection with Brownfields Pilot Project. I make a motion to approve, second by Legislator Binder. All in favor? Opposed?

**TABLED PRIME:**

**I.R. NO. 1181 Appropriating funds in connection with the Brownfields Pilot Project. (CP 8223) ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING AND FINANCE & FINANCIAL SERVICES (County Executive)**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

1182 approving the reappointment of Richard London as a member of the Suffolk County Planning Commission representing villages under five thousand.

**LEGISLATOR BINDER:**

Motion.

**CHAIRMAN BISHOP:**

Motion by Legislator Binder, second by Legislator Alden. Anybody wish to be heard on this? All in favor? Opposed? I'll be opposed. Opposed is one, two, two abstentions and two in favor. Failed.

**I.R. NO. 1182 Approving the reappointment of Richard London as a member of the Suffolk County Planning Commission, representing a Village under 5,000. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (County Executive)**

**VOTE: 2-2-2-0 FAILED**

**CHAIRMAN BISHOP:**

All right. 1185 is approving acquisition under Suffolk County Land Partnership Preservation Program. Motion to table by myself, second by Legislator Caracciolo. All in favor? Opposed?

**I.R. NO. 1185 Approving acquisition under Suffolk County Land Partnership Program. (Ridgehaven Estates LLC Property) Town of Brookhaven. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Martin Haley)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

1194 amending the 2001 Capital Budget.



**LEGISLATOR CARACCILO:**

That was withdrawn.

**CHAIRMAN BISHOP:**

Withdrawn. 1197 a Local Law to ban sale of mercury thermometers in Suffolk County. I just want to see if there's a public hearing. It was recessed at the last General Meeting, so we need to table it, as you guys said. Motion by Legislator Binder, second by Legislator Guldi. 1197 is tabled.

**I.R. NO. 1197 Adopting Local Law No. -2001, A Local Law to ban sale of mercury thermometers in Suffolk County. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING AND HEALTH. (Legislator Cooper)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

1198 is implementing Greenways Program in the Village of Amityville. Motion to table by myself, second by Legislator Binder. All in favor? Opposed? 1198 is tabled.

**I.R. NO. 1198 Implementing Greenways Program in connection with acquisition of active parklands at Village of Amityville. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator David Bishop)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

1141 is reappointing Lawrence Swanson. Motion by Legislator Binder, second by Legislator Fisher. All in favor? Opposed? 1141 is approved.

**I.R. NO. 1141 Reappointing member of the Council on Environmental Quality (R. Lawrence Swanson) ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Michael D'Andre)**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

Procedural motion number four is authorizing retention of a law firm in connection with MTBE Litigation. This does not retain a law firm but begins a process. Counsel, is that correct? What does this do?

**MR. SABATINO:**

It starts the process by authorizing this committee in conjunction with the Consumer Protection Committee to interview firms from Long Island with regard to making a recommendation to the full Legislature on pursuing MTBE litigation.

**CHAIRMAN BISHOP:**

I'll make a motion to approve, second by -- is there any sponsors here on this in here? No. Legislator Alden makes the motion to approve, second by myself. All in favor? Opposed? Number four is approved.

**PROCEDURAL MOTION #4 Authorizing retention of law firm in connection with MTBE Litigation. (Presiding Officer Tonna)**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

1024 a Charter Law to authorize pilot payments.

**LEGISLATOR CARACCILO:**

Motion to table.

**CHAIRMAN BISHOP:**

Motion to table by Legislator Caracciolo, second by Legislator Guldi. All in favor? Opposed?

**I.R. NO. 1024 Adopting Local Law No. -2001, A Charter Law to authorize payments in lieu of taxes (pilots) for Suffolk County Community Greenways Fund. (Legislator Michael Caracciolo)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

1034.

**LEGISLATOR GULDI:**

Motion to table.

**LEGISLATOR FIELDS:**

Second.

**CHAIRMAN BISHOP:**

Is this just going to come up every meeting?

**LEGISLATOR GULDI:**

No.

**LEGISLATOR FIELDS:**

No, he's making changes.

**LEGISLATOR GULI:**

No, I just have to ask counsel to make some revisions.

**CHAIRMAN BISHOP:**

Okay. So it's actually -- the two, you know the two of you having these lingering bills.

**I.R. NO. 1034 Establishing Suffolk County Aquaculture Committee in connection with programmatic dispute. (Legislator George Guldi)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

1044 implementing Greenways Program in connection with acquisition of Open Space at Miamogue.

**LEGISLATOR CARACCILOLO:**

This is withdrawn. We approved it under active parkland. I mean, under land partnership.

**CHAIRMAN BISHOP:**

1067 motion to table. That's Oak Beach Inn Land Partnership Preservation by myself, seconded by Legislator Binder. 1067 is tabled.

**I.R. NO. 1067 Approving acquisition under Suffolk County Land Preservation Partnership Program (Oak Beach Inn Property) Town of Babylon. (Legislator David Bishop)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

1100 authorizing subdivision of remainder fee in Suffolk County Farmland Development Rights Program. Did we find --

**LEGISLATOR GULDI:**

Motion to approve.

**CHAIRMAN BISHOP:**

Did we find the new resolution?

**LEGISLATOR CARACCILO:**

It was handed out.

**MR. SABATINO:**

It was handed out about an hour ago. It was tracked down and it --

**LEGISLATOR CARACCILO:**

It's here.

**CHAIRMAN BISHOP:**

Was it (a) okay?

**MR. SABATINO:**

It cleaned up the concerns. It clarified the concerns.

**CHAIRMAN BISHOP:**

Motion to approve by Legislator Caracciolo.

**LEGISLATOR BINDER:**

On the motion?

**CHAIRMAN BISHOP:**

On the motion, I'll second the motion. Legislator Binder.

**LEGISLATOR BINDER:**

I was out of the room during, I guess, there was some comments on it. Did we find out why this was done before they came to us, as opposed to the first one that we did today, which was done in a normal order, where they came to us, they're getting the agreement for subdivision and then they go forward?

**CHAIRMAN BISHOP:**

Arrogance and indifference. No, I don't know.

**MR. SABATINO:**

Well, actually it turns out that they did not secure an approval from the Riverhead Town Planning Board, which had been represented in the previous legislation. So that's now been corrected in this resolution, so that we have proper procedure. But also the proper recital of what took place.

**CHAIRMAN BISHOP:**

Motion to approve having been made and seconded. All in favor? Opposed? 1100 is approved.

**I.R. NO. 1100 Authorizing the subdivision of the remainder fee of land in the Suffolk County Farmland Development Rights Program. (Friars Head Farm) (0600-041.00-02.00-005.003 & 005.004) (County Executive)**

**VOTE: 7-0-0-0 APPROVED**

**CHAIRMAN BISHOP:**

1021 Charter Law to authorize low interest borrowing for land and water protection, Quarter

Cent Environmental Program. Motion to table until the next meeting, second.

**I.R. NO. 1021 Adopting Local Law No. 2001, a Charter Law to authorize low interest borrowing for land and water protection under the 1/4% Environmental Protection Program) (Legislator David Bishop)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

Have we received -- we were supposed to be working on a new referendum language?

**LEGISLATOR CARACCILO:**

Yes, yes, yes.

**CHAIRMAN BISHOP:**

The many authors when this thing comes up in committee, where are your suggestions? Please fax me your suggestions for new language and fax it to Legislator Caracciolo as well.

**LEGISLATOR GULDI:**

Okay.

**CHAIRMAN BISHOP:**

Come up with a winner 1851 implementing Greenways Program in connection with acquisition of active -- this is Miamogue again.

**LEGISLATOR CARACCILO:**

Well, we put it -- we had the bases covered on this one.

**CHAIRMAN BISHOP:**

Didn't you withdraw some of these?

**LEGISLATOR CARACCILO:**

I did. I just withdrew 1044 and I am now going to withdraw 1022.

**LEGISLATOR GULDI:**

And you were criticizing Legislator who for doing what?

**LEGISLATOR CARACCILO:**

We were going to buy it one way or the other.

**CHAIRMAN BISHOP:**

1851 is Miamogue again. What are you doing?

**LEGISLATOR GULDI:**

What are we doing with 1851?

**LEGISLATOR CARACCILO:**

That's withdrawn, come on.

**MR. SABATINO:**

Actually 1851 has been withdrawn already.

**CHAIRMAN BISHOP:**

2029.

**LEGISLATOR CARACCILO:**

Motion to table.

**CHAIRMAN BISHOP:**

A Charter Law to impose additional requirements on Suffolk County Community Greenways Fund. No one would withdraw that one?

**LEGISLATOR CARACCILO:**

No, I'm not withdrawing it. I'm tabling it.

**CHAIRMAN BISHOP:**

Sticking with that.

**LEGISLATOR CARACCILO:**

Yes.

**CHAIRMAN BISHOP:**

Motion to table by Legislator Caracciolo, second by Legislator Fields.

**I.R. NO. 2029 Adopting Local Law No. -2000, A Charter Law to impose additional requirements on Suffolk County Community Greenways Fund for active parkland acquisitions. (Legislator Michael Caracciolo)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

2031 approving acquisition under the Land Partnership Preservation Program of Rolling Oaks Golf Course.

**LEGISLATOR CARACCILO:**

We have a Town Board Resolution, counsel?

**CHAIRMAN BISHOP:**

We're buying a golf course?

**MR. SABATINO:**

This is --

**CHAIRMAN BISHOP:**

Which is prohibited by the Greenways.

**MR. SABATINO:**

This would still need the Town Board Resolution. We have not received it.

**LEGISLATOR CARACCILO:**

Okay, motion to table.

**LEGISLATOR GULDI:**

I believe it's a former golf course, isn't it?

**LEGISLATOR CARACCILO:**

No, it's presently a golf course.

**CHAIRMAN BISHOP:**

Under Greenways, by the way, you can't --

**LEGISLATOR CARACCILO:**

No, this is land preservation.

**CHAIRMAN BISHOP:**

You can't buy land to -- oh --

**LEGISLATOR CARACCILO:**

Land preservation.

**CHAIRMAN BISHOP:**

Land preservation.

**LEGISLATOR CARACCILO:**

Yes. It would be a fifty, fifty.

**I.R. NO. 2031 Approving acquisition under Suffolk County Land Preservation Partnership Program. (Rolling Oaks Gold Course in Rocky Point) Town of Brookhaven. (Legislator Martin Haley)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

2037 Greenways Program, Active Parklands, Lindenhurst. Motion to table by myself, second by Legislator Binder. All in favor? 2037 is tabled.

**I.R. NO. 2037 Implementing Greenways Program in connection with acquisition of active parklands in Lindenhurst. (Town of Babylon) (Legislator David Bishop)**

**VOTE: 7-0-0-0 TABLED**

**CHAIRMAN BISHOP:**

That concludes the agenda. Any other matters?

**LEGISLATOR FISHER:**

Mr. Chairman?

**CHAIRMAN BISHOP:**

Legislator Fisher.

**LEGISLATOR FISHER:**

Add me with the majority.

**CHAIRMAN BISHOP:**

Just add Legislator Fisher with the majority, on which vote?

**LEGISLATOR FISHER:**

On the CEQ resolutions. 1181, 1182, 1185, 1194.

**CHAIRMAN BISHOP:**

And you'll never leave the room again. Motion to adjourn by myself, second by Legislator Guldi. All in favor? Opposed? We stand adjourned.

***(The meeting was adjourned at 5:40 P.M.)***

{ } Denotes spelled phonetically